



Bassett Creek Watershed Management Commission

Regular Meeting
Thursday December 15, 2016
8:30 – 11:00 a.m.

Council Conference Room, Golden Valley City Hall, Golden Valley, MN

AGENDA

1. CALL TO ORDER and ROLL CALL

2. CITIZEN FORUM ON NON-AGENDA ITEMS - *Citizens may address the Commission about any item not contained on the regular agenda. A maximum of 15 minutes is allowed for the Forum. If the full 15 minutes are not needed for the Forum, the Commission will continue with the agenda. The Commission will take no official action on items discussed at the Forum, with the exception of referral to staff or a Commissions Committee for a recommendation to be brought back to the Commission for discussion/action.*

3. APPROVAL OF AGENDA

4. CONSENT AGENDA

- A. Approval of Minutes – November 16, 2016 Commission Meeting
- B. Approval of December 2016 Financial Report
- C. Approval of Payment of Invoices
 - i. Keystone Waters, LLC – November 2016 Administrator Services
 - ii. Keystone Waters, LLC – November Meeting Materials Distribution Expenses
 - iii. Barr Engineering – November 2016 Engineering Services
 - iv. Triple D Espresso – December 2016 Meeting Refreshments
 - v. Wenck – November 2016 WOMP Monitoring
 - vi. Lawn Chair Gardener - November 2016 Educational Services
 - vii. Kennedy Graven – October 2016 Legal Services
 - viii. MPCA – 2017 Main Stem Project Document Review
- D. Approval to Set February 2nd Technical Advisory Committee Meeting
- E. Approval to Reimburse Alt. Commissioner Scanlan for MAWD Workshop Registration
- F. Approval of Contract with Wenck Associates for Operation of WOMP (Watershed Outlet Monitoring Program) Station 2017
- G. Approval to Submit Grant Application to Minnesota Conservation Corps on Behalf of Metro Blooms for Harrison Neighborhood Project
- H. Approval to Direct Commission Engineer to Submit Flood Control Inspection Report to Cities, Minnesota DNR, U. S. Army Corps of Engineers

5. BUSINESS

- A. Receive Update on Clean Water Fund Grant Applications
- B. Consider Approval of Resolution of Appreciation for Commissioner Ginny Black
- C. Consider Approval of Southwest Light Rail Transit Project
- D. Consider Approval to Provide Financial Contributions for Stormwater Management at Agora Development, Plymouth
- E. Consider Approval to Submit Aquatic Invasive Species Prevention Grant Application to Hennepin County
- F. Receive Information on Application of Atlas 14 Flood Levels to Blue Line LRT Project
- G. Consider Approval of Administrative Services Committee Recommendations
 - i. Policy Manual Updates
 - ii. Resolution Approving Records Retention Schedule

- iii. Report on Staff Performance Evaluation
- iv. Solicit Letters of Interest Proposals for Technical and Legal Services
- v. Amendments to Administrator Contract

6. COMMUNICATIONS

- A. Administrator's Report
 - i. Report on MAWD Conference
- B. Chair
- C. Commissioners
 - i. Report on MAWD Conference
- D. TAC Members
 - i. Report on 11/28/16 Meeting
 - ii. Next Meeting 2/2/17
- E. Committees
 - i. APM/AIS Committee – Next Meeting 1/24 – [Meeting Materials](#)
- F. Legal Counsel
- G. Engineer
 - i. Report on Meeting with Hennepin County on West Mesonet

7. INFORMATION ONLY (Information online only)

- A. CIP Project Updates: Now Available Online <http://www.bassettcreekwmo.org/projects>
- B. Grant Tracking Summary and Spreadsheet
- C. WMWA Meeting Minutes
- D. HennepinWest Mesonet
- E. WCA Notice of Decision, Plymouth
- F. WCA Notice of Application, Plymouth
- G. WCA Notice of Decision, Plymouth
- H. WCA Notice of Application, Crystal

8. ADJOURNMENT

Upcoming Meetings & Events

- BCWMC APM/AIS Committee Meeting: Tuesday January 24th, 8:30 – 10:00 a.m., Medicine Lake Room, Plymouth City Hall
- BCWMC Technical Advisory Committee Meeting: Thursday February 2nd, 1:30 – 3:30 p.m. Council Chambers, Golden Valley City Hall
- BCWMC Regular Meeting: Thursday January 19th, 8:30 a.m., Council Conference Room, Golden Valley City Hall

Future Commission Agenda Items list

- Address Organizational Efficiencies
- Finalize Commission policies (fiscal, data practices, records retention, roles and responsibilities, etc.)
- Presentation on joint City of Minnetonka/ UMN community project on storm water mgmt
- State of the River Presentation
- Presentation on chlorides



Bassett Creek Watershed Management Commission

AGENDA MEMO

Date: December 8, 2016

To: BCWMC Commissioners

From: Laura Jester, Administrator

RE: Background Information for 12/15/16 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 – November 16, 2016 Commission meeting- ACTION ITEM with attachment
 - B. Approval of December 2016 Financial Report - ACTION ITEM with attachment
 - C. Approval of Payment of Invoices - ACTION ITEM with attachments (online) – *I have reviewed the following invoices and recommend approval of payment.*
 - i. Keystone Waters, LLC – November 2016 Administrator Services
 - ii. Keystone Waters, LLC – November Meeting Materials Distribution Expenses
 - iii. Barr Engineering – November 2016 Engineering Services
 - iv. Triple D Espresso – December 2016 Meeting Refreshments
 - v. Wenck – November 2016 WOMP Monitoring
 - vi. Lawn Chair Gardener – November 2016 Educational Services
 - vii. Kennedy Graven – October 2016 Legal Services
 - viii. MPCA – 2017 Main Stem Project Document Review
 - D. Approval to Set February 2, 2017 TAC Meeting – ACTION ITEM no attachment – *Staff recommends setting a Technical Advisory Committee Meeting for February 2nd in order to address XP-SWMM model results (if needed) and begin reviewing and adjusting the 5-year CIP list.*
 - E. Approval to Reimburse Alternate Commissioner Scanlan for MAWD Workshop Registration – ACTION ITEM no attachment – *At the October meeting, the Commission approved a request from Commissioner Scanlan to be reimbursed for registration costs and mileage to attend the MN Association of Watershed Districts conference. Upon further review of conference materials, Alt. Commissioner Scanlan also registered for and attended a pre-conference workshop on effective practices and public process for engaging the public. Staff recommends the Commission reimburse Alt. Commissioner Scanlan the \$85 workshop registration fee which fits into the BCWMC's overall education budget.*
 - F. Approval of Contract with Wenck Associates for Operation of WOMP (Watershed Outlet Monitoring Program) Station 2017 – ACTION ITEM with attachment - *The BCWMC is under contract with the Met Council to operate Bassett Creek's Watershed Outlet Monitoring Program station. The Commission has contracted with Wenck Associates for the past four years to operate the station including collecting and delivering water samples and maintaining the station and its equipment. BCWMC staff recommends continuing the contract with Wenck in 2017. A proposal from Wenck and contract for work is attached. The Met Council recently changed WOMP monitoring protocols, requiring additional sample collections. The budget line for WOMP work in 2017 is likely to be over budget by a few thousand dollars but is still in line with overall BCWMC expenditures.*
 - G. Approval to Submit Grant Application to Minnesota Conservation Corps on Behalf of Metro Blooms for Harrison Neighborhood Project – ACTION ITEM with attachment – *The Harrison Neighborhood Project being implemented by Metro Blooms is continuing, having recently received funding from Met*

Council (through a grant awarded to the BCWMC), and 2017 Clean Water Funds being recommended for approval by BWSR. The Commission will receive an update on the project at a meeting in the near future. Currently, Metro Blooms is requesting that the BCWMC apply for crew labor from the Conservation Corps of Minnesota (CCM) to assist with the project. Contracting and reporting is minimal with this program: the application to CCM is the agreement. Once approved, CCM notifies the applicant and arranges crew scheduling. At year end, Metro Blooms would report to CCM (through the BCWMC) on the actual crew time spent. The Commission approved a similar grant application to CCM on Metro Blooms' behalf in January 2016. Staff recommends submitting the application on behalf of Metro Blooms.

- H. Approval to Direct Commission Engineer to Submit Flood Control Inspection Report to Cities, Minnesota DNR, U. S. Army Corps of Engineers – **ACTION ITEM with attachment (full document online)** - In accordance with the Operation and Maintenance Manual for the Bassett Creek Flood Control Project, an annual inspection of the flood control features was recently performed by the Commission Engineer to assess and document conditions. The attached report includes conditions of each structure and a list of recommended actions. The report should be forwarded to member cities, the MN Department of Natural Resources and the U.S. Army Corps of Engineers.

5. BUSINESS

- A. Receive Update on Clean Water Fund Grant Applications – **INFORMATION ITEM no attachment** – Staff submitted two Clean Water Fund grant applications to the BWSR in August ([see 7C and D](#)). Staff is pleased to report that the BWSR Board is expected to approve the Clean Water Fund grants to the BCWMC at their meeting next week. The Plymouth Creek Restoration Project is slated to receive \$400,000 in grant funding. The Harrison Neighborhood Project is slated to receive \$134,595 in grant funds. Once approved, staff will work with BWSR to develop work plans for the projects.
- B. Consider Approval of Resolution of Appreciation for Commissioner Ginny Black – **ACTION ITEM with attachment** – This meeting will be Commissioner Black's last meeting as a Commissioner. A resolution of appreciation for Ginny's twelve + years of service is appropriate!
- C. Consider Approval of Southwest Light Rail Transit Project – **ACTION ITEM with attachment** – The Commission approved SWLRT's requested connection to the new Bassett Creek tunnel at their [March 17, 2016](#) meeting. The Commission reviewed the SWLRT project at their [June 16, 2016](#) meeting. The Commission did not approve the project plans, but directed BCWMC staff to submit comments to the project proposer and bring revised plans to a future meeting. Staff recommends approval of the proposed project and an extension of the approval expiration date through December 2021.
- D. Consider Approval to Provide Financial Contributions for Stormwater Management at Agora Development, Plymouth – **ACTION ITEM with attachment** – At their meeting this [August](#), the Commission received a presentation from Solution Blue on the stormwater management components of a redevelopment project on the old Four Seasons Mall site. At the time, the Commission was asked to consider providing funding toward stormwater management features that would go "above and beyond" pollutant removal requirements for the redevelopment. In August the Commission took action to "move forward with exploring a partnership with Rock Hill Management through an agreement with the City of Plymouth and for Commission staff to gather and assess additional information for further consideration including technical and legal issues." The developer is seeking a decision on Commission funding commitments. Revised and more detailed information was analyzed by the Commission Engineer. Please see the attached memo for information and staff recommendations.
- E. Consider Approval to Submit Aquatic Invasive Species Prevention Grant Application to Hennepin County – **ACTION ITEM with attachment** – The BCWMC Aquatic Plant Management/Aquatic Invasive Species (APM/AIS) Committee and Commission staff recommend applying for an AIS Prevention Grant from Hennepin County, due 1/20/17. See the attached memo for background and further recommendations.

- F. Receive Information on Application of Atlas 14 Flood Levels to Blue Line LRT Project – **INFORMATION ITEM with attachment** – *The Commission Engineer wishes to inform the Commission about the use of preliminary XP-SWMM flood elevations by the Blue Line LRT project consultants and the possibility of requests for variances for pieces of this project in the future. Please see attached memo.*
- G. Consider Approval of Administrative Services Committee Recommendations – **ACTION ITEMS with attachment** – *The Administrative Services Committee met on December 5th to consider multiple policy issues. Please see the attached memo with background and recommendations for each of the items below.*
 - i. Policy Manual Updates – **ACTION ITEM with attachment** – *Committee recommends approval of policies 2.6 and 3.1 – 3.7 as presented in the attachment.*
 - ii. Resolution Approving Records Retention Schedule – **ACTION ITEM with attachments** – *Committee recommends approval of the attached records retention schedule by way of the attached resolution.*
 - iii. Report on Staff Performance Evaluation – **INFO ITEM no attachment** – *Committee Chair Mueller will provide information on the results of staff evaluations.*
 - iv. Solicit Letters of Interest Proposals for Technical and Legal Services – **ACTION ITEM no attachment** – *Committee recommends directing staff to solicit “letters of interest proposals” for engineering and legal services per State requirements.*
 - v. Amendments to Administrator Contract – **ACTION ITEM with attachment** – *Committee recommends revisions to my contract to align with job duties and 2017 budget.*

H.

6. COMMUNICATIONS

- A. Administrator’s Report – **INFORMATION ITEM with attachment**
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- B. Chair
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Bassett Creek Watershed Management Commission

DRAFT Minutes of Regular Meeting
Wednesday November 16, 2016
8:30 a.m.
Golden Valley City Hall, Golden Valley MN

Commissioners and city staff present:

City	Commissioner	Alternate Commissioner	Technical Advisory Committee Members (City Staff)
Crystal	Guy Mueller, Vice Chair	NA	Mark Ray
Golden Valley	Stacy Hoschka, Secretary/Treasurer	Jane McDonald Black	Jeff Oliver
Medicine Lake	Clint Carlson	<i>Absent</i>	NA
Minneapolis	Michael Welch	Lisa Goddard	Lois Eberhart
Minnetonka	<i>Absent</i>	<i>Absent</i>	<i>Absent</i>
New Hope	John Elder	<i>Absent</i>	Megan Albert, Chris Long, Bob Paschke
Plymouth	Ginny Black	<i>Absent</i>	Derek Asche
St. Louis Park	Jim de Lambert, Chair	Patrick Noon	<i>Absent</i>
Robbinsdale	<i>Absent</i>	Michael Scanlan	Richard McCoy

Staff and Others Present:

Administrator	Laura Jester, Keystone Waters
Engineer	Karen Chandler, Jim Herbert, Jen Koehler - Barr Engineering
Legal Counsel	Troy Gilchrist, Kennedy & Graven
Guests/Public	Linda Loomis, Peter Enck, Lee Gustafson, Ron Quanbeck, John O'Toole, Bill Spychalla, Pat Schutrop

1. CALL TO ORDER AND ROLL CALL

On Wednesday November 16, 2016, at 8:35 a.m. in the Council Conference Room at Golden Valley City Hall (7800 Golden Valley Rd.), Chair de Lambert called to order the meeting of the Bassett Creek Watershed Management Commission (BCWMC) and asked for roll call to be taken. The city of Minnetonka was absent from the roll call.

2. CELEBRATION OF SERVICE FOR LEN KREMER

Commission Engineer Chandler reported on Len's history of service to the Commission, noting he served as the primary engineer from 1973 through 2011 and continues to serve in an advisory role. Several guests were in attendance at the meeting to help honor and recognize Mr. Kremer's contributions to the Commission. Guests introduced themselves and Mr. Kremer gave a presentation with information about historical flooding conditions in the watershed and the Commission's large projects over the decades including construction of the Bassett Creek Tunnel and other Flood Control Project structures.

Commissioners, city staff, and guests offered praise and tributes to Mr. Kremer and shared stories about him and his diligent work with the Commission. It was noted that Mr. Kremer not only gathered partners and funding to complete the \$40 million Flood Control Project, but also provided the foundation for and encouraged the progression of the BCWMC from a sole focus of flood protection to a broader mandate to improve water quality and actively conserve water resources.

MOTION: Commissioner Welch moved to approve a resolution of appreciation for Len Kremer. Commissioner Black seconded the motion. Upon a vote, the motion carried 8-0. [City of Minnetonka was absent from the vote.]

Mr. Kremer was presented with a certificate of appreciation and a book from the Commission. Photos with guests and past Commission chairs were taken.

3. CITIZEN FORUM ON NON-AGENDA ITEMS

No comments from citizens.

4. APPROVAL OF AGENDA

Administrator Jester noted that agenda items would be shifted to accommodate schedules of various Commissioners and guests. She suggested that item 6Biii come before item 6A and that item 6C be addressed when guests from The Blake School arrive at the meeting.

MOTION: Commissioner Black moved to approve the agenda as amended. Commissioner Elder seconded the motion. Upon a vote, the motion carried 8-0. [City of Minnetonka was absent from the vote.]

5. CONSENT AGENDA

Commissioner Welch requested that item 5E – Approval of Project at 226 Peninsula Road, Medicine Lake – be removed from the consent agenda.

MOTION: Commissioner Black moved to approve the consent agenda as amended. Commissioner Elder seconded the motion. Upon a vote, the motion carried 8-0. [City of Minnetonka was absent from the vote.]

The following items were approved as part of the consent agenda: the October 20, 2016, Commission Meeting Minutes, the November 2016 Financial Report, the payment of invoices, and the Highway 169 drainage improvement project in Plymouth.]

The general and construction account balances reported in the November 2016 Financial Report are as follows:

Checking Account Balance	\$517,080.61
TOTAL GENERAL FUND BALANCE	\$517,080.61
TOTAL CASH & INVESTMENTS ON-HAND (11/08/16)	\$2,848,460.40
CIP Projects Levied – Budget Remaining	(\$3,966,977.19)
Closed Projects Remaining Balance	(\$1,118,516.79)
2011-2015 Anticipated Tax Levy Revenue	\$6,710.47
2016 Anticipated Tax Levy Revenue	\$601,430.96
Anticipated Closed Project Balance	(\$510,375.36)

6. BUSINESS

Biii. Consider Administrative Services Committee Recommendation – Staff Performance Evaluation

Commissioner Mueller reported that the Administrative Services Committee met on November 4th. and that the committee requests that Commissioners, TAC members, and staff complete evaluations of Administrator Jester and Engineer Chandler such that feedback could be provided to these staff and improvements made, as needed. He noted that evaluations are due back to him via mail or email by November 30th. Administrator Jester indicated she would send the Word document version of the evaluation form to Commissioners and TAC members along with Commissioner Mueller's mailing address.

C. Receive Presentation of The Blake School 360 Project

Administrator Jester introduced Will Bohrnsmen with the Blake School who then introduced teachers Lizz Buchanan, Elizabeth Flinsch, Lisa Sackreiter and student Emma Steffen. The group described their "360" project which included visiting and learning about four different BCWMC CIP projects with a group of photography and environmental sciences students. He reported that during a field trip in September, the students visited the projects and learned about them from city staff and Administrator Jester. Ms. Steffen described her experience, noting it was interesting to

learn about the projects. She reported that students did a significant amount of research on historical and environmental aspects of the sites and the watershed. Mr. Bohrsen reported that laminated cards with a QR code will be placed at each project location so that visitors can access the virtual tour on their mobile device. Administrator Jester reported the final “virtual tours” of the four projects are posted on the BCWMC website and that she is collaborating with the communications department at the Blake School to write a press release. She walked through the virtual tour of the Northwood Lake Project on the screen for Commissioners.

The Blake School staff thanked the Commission for partnering on this project. Commissioners indicated that this was a great project that could possibly be promoted with other schools. Administrator Jester was directed to submit the press release to cities for inclusion in their newsletters. Administrator Jester was encouraged to find additional ways to promote the use of the virtual tours by the public.

A. Receive Presentation on Medicine Lake Road and Winnetka Avenue Area (De Cola Ponds) Long-term Flood Mitigation Plan

Commission Engineer Chandler provided a brief overview of the project, noting that it was the outcome of several studies due to the long history of flooding in the area, including flooding at the low point on Medicine Lake Road east of Winnetka Avenue, and downstream in the DeCola Ponds system. She reported that the Cities of Golden Valley, New Hope, and Crystal recognized the magnitude of flooding, the potential public safety issues, and the need to address the flooding issues. She reported that the three Cities supported the development of the long-term flood mitigation plan. She noted that Barr Engineering completed the long-term flood mitigation plan in May 2016 and that it outlines critical flood mitigation projects and planning level costs that can be used to direct future efforts.

Mr. Oliver noted that flooding is still a reality in Golden Valley and New Hope and that flooding on Medicine Lake Road prevents emergency response in some areas. He noted a series of community meetings were held resulting in consensus that something needed to be done to address the issue, but that differences remain on ultimate solutions.

Jen Koehler with Barr Engineering presented the results of the flood mitigation plan, noting the study took place between 2014 – 2016 and used Atlas 14 data which resulted in a 23% increase in flood levels. She reported that 39 structures are at risk of flooding during a 100-year event including commercial property, single family homes, and multifamily properties. She reported that the study found more focus needs to be given to providing additional flood storage in the watershed.

[Commissioners Elder and Mueller depart the meeting.]

Mr. Oliver noted that the Liberty Crossing redevelopment project in Golden Valley is addressing some flooding issues by providing flood storage and that other projects are underway as well. He noted that flood reduction is at the top of Golden Valley’s legislative priorities for bonding in 2016 and 2017 and that the city has strong support from Minnesota Department of Natural Resources. Further, Mr. Oliver noted that improvements in water quality that are realized along with flood reductions also help improve the chance to receive funding. He noted that future BCWMC CIP projects (already on the 5-year CIP list and other projects in later years) will address flooding, along

with water quality.

There was some discussion about how potential flood reduction projects are prioritized. Ms. Koehler noted that the area is very complicated hydraulically, and that projects are prioritized according to property ownership, likelihood of implementation, and adjacency to flooding areas. Commissioner Carlson noted that several properties in the City of Medicine Lake are inundated with flood waters almost every year, preventing access to homes. Administrator Jester noted that the TAC and Commission will be considering a flood reduction CIP project in Medicine Lake in early 2017.

There was further discussion about ways to reduce flooding in Golden Valley and New Hope including wetland restoration, and subsurface storage. Mr. Oliver reported that the Liberty Crossing Project includes excavation of contaminated sediment and underground stormwater storage and treatment. He also noted that an area south of the SEA School may use subsurface storage and treatment as well as multiple projects in New Hope. Commissioner Hoschka noted that city councils and planning commissions need to be educated about Atlas 14 precipitation amounts and resulting flood elevations. Commissioner Black praised Golden Valley, New Hope, and Crystal for working together to find solutions.

[Commissioner Hoschka departs the meeting. Alt. Commissioner McDonald Black assumes Golden Valley representation.]

Bi. Consider Administrative Services Committee Recommendations – Policy Manual Updates

Administrator Jester reported that at their meeting on November 4th, the Administrative Services Committee discussed several policy-related items and that the committee forwards several recommendations to the Commission. She reported that the draft BCWMC Policy document included in the meeting packet includes an excerpt of the complete policy manual that has been a work in progress for several years. She noted that some sections were previously adopted and that others were never formally adopted. She walked through the policies recommended for approval by the committee including policies 2.1 – 2.11 (excluding 2.6), which cover internal governance policies.

For Policy 2.4 regarding city responsibilities, Administrator Jester noted that the committee recommends that the “strategies to implement” policy be removed from the document as they are restated in the 2015 Watershed Management Plan and in the BCWMC Roles and Responsibilities document (which will be Appendix A in the policy manual).

For Policy 2.7 regarding policies and procedures for public access to documents, Administrator Jester noted that it includes the approval of the Data Practices Procedure developed by the Commission’s legal counsel in Appendix C. There was some discussion of the costs that can or should be charged for gathering and providing documents under this policy. Commissioner Welch suggested giving the Administrator discretion regarding fees for providing electronic documents.

Administrator Jester noted that policy 2.8 would be revised to indicate that BCWMC consultants will be reimbursed mileage as specified in contracts and that Commissioners will not be allowed to be reimbursed for travel to and from regular BCWMC meetings.

MOTION: Commissioner Welch moved to approved Policies 2.1 – 2.11 (excluding 2.6) in the policy manual, as presented and directed staff to revise the data practices procedure to give the Administrator discretion in charging for actual costs of gathering and transmitting electronic documents. Seconded by Alt. Commissioner McDonald Black. Upon a vote the motion carried 6-0. [The cities of Minnetonka, New Hope, and Crystal were absent from the vote.]

Bii. Consider Administrative Services Committee Recommendations – Draft Policy for Cost Share of CIP Projects for Pollutant Removal Credit

Administrator Jester provided background on the proposed policy reminding Commissioners that in 2015, the Commission agreed to allow the cities of New Hope and Golden Valley to take partial credit for pollutant removals from BCWMC CIP projects for adjacent city projects in order to comply with the Commission's water quality standards or Minimal Impact Design Standards (MIDS) requirements for linear developments/projects. She reported that this was allowed because the cities were providing some funding for the CIP projects, but that no guidance existed to help the Commission's decision-making process. She walked through the policies proposed by the Administrative Services Committee. Commissioner Welch indicated that the policies may need to allow for more flexibility, need to address the MS4 credit, and that the CIP feasibility study stage may be too early to set credits and cost sharing.

Commissioners requested Commissioner Welch provide input on the draft policy and that the TAC review the revised policy for consideration at a future Commission meeting.

5E. Approval of Project at 226 Peninsula Road, Medicine Lake

(Previously on consent agenda.) Commissioner Welch asked about wetland impacts and whether or not a wetland buffer would be required. Commission Engineer Chandler reported that the BCWMC wetland buffer requirements are to be included in member city ordinances and enforced by cities. She noted that Commission Engineers do not review projects for buffers.

MOTION: Commissioner Carlson moved to approve the project with recommendations in the Engineer's memo. Seconded by Commissioner Welch.

Discussion: Commissioner Black indicated that she did not support that motion because other cities are implementing floodplain and wetland protections and that the city of Medicine Lake is not taking a proactive approach with projects in their city. Commissioner Carlson noted that the homeowner at 226 Peninsula Road had spent a considerable amount of money addressing the issue correctly and that many other homeowners are in the same position of needing more reliable access to their homes during high water. There was further discussion about wetland buffers, their implementation in Plymouth, and the previous opportunity the Commission had to enforce buffer requirements during development of the 2015 Watershed Plan.

Upon a vote, the motion carried 5-1. [Plymouth voted against the motion. The cities of Minnetonka, New Hope, and Crystal were absent from the vote.]

7. COMMUNICATIONS

A. Administrator's Report

Administrator Jester reported that she will participate on a panel discussion regarding development of local water management plans at the Met Council's "Plan It" conference December 13th. She noted she would send the conference announcement to TAC members.

B. Chair

No report.

C. Commissioners

No report.

D. TAC Members

No report.

E. Committees

Administrator Jester noted the upcoming APM/AIS and Administrative Services Committee meetings.

F. Legal Counsel

No report.

G. Engineer

Commission Engineer Chandler reported that the Highway 169 project will have no wetland impacts and clarified that MnDOT is the LGU for administering the Wetland Conservation Act on MnDOT projects.

8. INFORMATION ONLY (Available <http://www.bassettcreekwmo.org/document/meeting-materials-minu/meeting-materials/wednesday-november-16-2016>)

A. CIP Project Updates: Now Available Online <http://www.bassettcreekwmo.org/projects>

B. Grant Tracking Summary and Spreadsheet

C. ERF Grant Application for Main Stem Erosion Repair Project (2017CR-M)

D. Clean Water MN Campaign Updated Website: <http://www.cleanwatermn.org/>

E. [WCA Notice of Application Four Seasons Mall Redevelopment, Plymouth](#)

F. [WCA Notice of Application Nathan Property, Plymouth](#)

G. [Mississippi River Forum - State of the River Report:](#)
<https://www.nps.gov/miss/learn/nature/riverforum.htm>

H. 2016 Children's Water Festival Certificate, Reports, Letters from Students

9. ADJOURNMENT - Chair de Lambert adjourned the meeting at 11:40 a.m.

Signature/Title

Date

Signature/Title

Date

Bassett Creek Watershed Management Commission General Account
General Fund (Administration) Financial Report

Fiscal Year: February 1, 2016 through January 31, 2017

MEETING DATE: December 15, 2016

Item 4B.
BCWMC 12-15-16

(UNAUDITED)

BEGINNING BALANCE	8-Nov-16		517,080.61
ADD:			
General Fund Revenue:			
Interest less Bank Fees		(11.34)	
2017-18 Assessments-PREPAID			
City of Minneapolis		33,609.00	
Permits:			
Gary Anderson	BCWMC 2016-26	600.00	
Reimbursed Construction Costs		10,700.09	
	Total Revenue and Transfers In		44,897.75
DEDUCT:			
Checks:			
VOID-DUPL PYM'			
2911 League of MN Cities Ins	Bond Insurance	(113.00)	
2913 Barr Engineering	Nov Engineering	38,018.53	
2914 Kennedy & Graven	Oct Legal	2,373.16	
2915 Keystone Waters LLC	Nov Administrator	5,089.73	
	Nov Meeting Materials	139.74	
2916 Lawn Chair Gardener	Education/admin services	1,785.52	
2917 Triple D Espresso	Dec Meeting	103.98	
2918 Wenck Associates	Nov Outlet Monitoring	548.00	
2919 Michael Scanlan	Pre-Conf Reg/Mileage	228.64	
2920 MPCA	17 Main Stem	687.50	
	Total Checks		48,861.80
Outstanding from previous month:			
2909 Hennepin County	2016 River Watch	2,000.00	
	Total Expenses		48,861.80
ENDING BALANCE	7-Dec-16		513,116.56

Bassett Creek Watershed Management Commission General Account
General Fund (Administration) Financial Report
Fiscal Year: February 1, 2016 through January 31, 2017
MEETING DATE: December 15, 2016

(UNAUDITED)

	2016 / 2017 BUDGET	CURRENT MONTH	YTD 2016 / 2017	BALANCE
OTHER GENERAL FUND REVENUE				
ASSESSEMENTS TO CITIES	490,345	0.00	490,344.00	1.00
PROJECT REVIEW FEES	60,000	600.00	50,100.00	9,900.00
WOMP REIMBURSEMENT	5,000	0.00	4,500.00	500.00
MET COUNCIL REIMBURSEMENTS-LRT PROJECTS	0	0.00	22,397.00	(22,397.00)
TRANSFERS FROM LONG TERM FUND & CIP	27,055	0.00	0.00	27,055.00
REVENUE TOTAL	582,400	600.00	567,341.00	15,059.00
EXPENDITURES				
ENGINEERING & MONITORING				
TECHNICAL SERVICES	120,000	8,359.50	93,009.07	26,990.93
DEV/PROJECT REVIEWS	65,000	3,904.50	86,257.29	(21,257.29)
NON-FEE/PRELIM REVIEWS	15,000	5,685.44	31,657.38	(16,657.38)
COMMISSION AND TAC MEETINGS	13,000	660.00	10,323.88	2,676.12
SURVEYS & STUDIES	25,000	33.00	21,898.80	3,101.20
WATER QUALITY/MONITORING	76,000	5,051.00	40,842.35	35,157.65
SHORELAND HABITAT MONITORING	6,000	1,311.00	2,468.00	3,532.00
WATER QUANTITY	11,500	0.00	7,747.46	3,752.54
WATERSHED INSPECTIONS -EROSION CONTROL	1,000	0.00	0.00	1,000.00
ANNUAL FLOOD CONTROL INSPECTIONS	10,000	892.50	4,302.42	5,697.58
REVIEW MUNICIPAL PLANS	2,000	0.00	2,491.50	(491.50)
WOMP	17,000	1,448.00	15,380.32	1,619.68
ENGINEERING & MONITORING TOTAL	361,500	27,344.94	316,378.47	45,121.53
ADMINISTRATION				
ADMINISTRATOR	62,000	5,089.73	47,591.38	14,408.62
LEGAL COSTS	18,500	2,373.16	11,011.88	7,488.12
AUDIT, INSURANCE & BONDING	15,500	(113.00)	14,606.00	894.00
FINANCIAL MANAGEMENT	3,200	0.00	77.60	3,122.40
DIGITIZE HISTORIC PAPER FILES	5,000	0.00	2,167.00	2,833.00
MEETING EXPENSES	2,200	103.98	1,468.46	731.54
ADMINISTRATIVE SERVICES	25,000	939.74	9,705.89	15,294.11
ADMINISTRATION TOTAL	131,400	8,393.61	86,628.21	44,771.79
OUTREACH & EDUCATION				
PUBLICATIONS/ANNUAL REPORT	2,500	0.00	1,246.50	1,253.50
WEBSITE	3,500	0.00	2,047.03	1,452.97
PUBLIC COMMUNICATIONS	2,500	0.00	1,128.39	1,371.61
EDUCATION AND PUBLIC OUTREACH	22,500	1,214.16	24,400.19	(1,900.19)
WATERSHED EDUCATION PARTNERSHIPS	15,500	0.00	5,500.00	10,000.00
OUTREACH & EDUCATION TOTAL	46,500	1,214.16	34,322.11	12,177.89
MAINTENANCE FUNDS				
EROSION/SEDIMENT (CHANNEL MAINT)	25,000	0.00	0.00	25,000.00
LONG TERM MAINTENANCE (moved to CF)	25,000	0.00	0.00	25,000.00
MAINTENANCE FUNDS TOTAL	50,000	0.00	0.00	50,000.00
TMDL WORK				
TMDL IMPLEMENTATION REPORTING	20,000	1,209.00	17,768.50	2,231.50
TMDL WORK TOTAL	20,000	1,209.00	17,768.50	2,231.50
TOTAL EXPENSES	609,400	38,161.71	455,097.29	154,302.71
		Current	YTD	
Construct Exp		10,700.09	1,714,504.16	
Total		48,861.80	2,169,601.45	

BCWMC Construction Account
Fiscal Year: February 1, 2015 through January 31, 2016
December 2016 Financial Report

(UNAUDITED)

Cash Balance 11/8/16			
Cash		1,856,460.40	
	Total Cash		1,856,460.40
Ally Bk Midvale Utah C/D (9/25/2017 1.25%)		248,000.00	
Capital One Bk-McLean VA C/D (9/25/2017 1.15%)		248,000.00	
Capital One Bk-Glen Allen VA C/D (9/25/2017 1.15%)		248,000.00	
Key Bk Natl Assn Ohio C/D (10/02/2017 1.15%)		248,000.00	
	Total Investments		992,000.00
	Total Cash & Investments		2,848,460.40
Add:			
Interest Revenue (Bank Charges)		(63.52)	
Hennepin County - 2nd 1/2 taxes		624,072.31	
	Total Revenue		624,008.79
Less:			
CIP Projects Levied - Current Expenses - TABLE A		(1,180.50)	
Proposed & Future CIP Projects to Be Levied - Current Expenses - TABLE B		(4,725.09)	
	Total Current Expenses		(5,905.59)
	Total Cash & Investments On Hand	12/07/16	3,466,563.60
Total Cash & Investments On Hand		3,466,563.60	
CIP Projects Levied - Budget Remaining - TABLE A		(3,965,796.69)	
Closed Projects Remaining Balance		(499,233.09)	
2011 - 2015 Anticipated Tax Levy Revenue - TABLE C		11,574.32	
2016 Anticipated Tax Levy Revenue - TABLE C		14,828.86	
Anticipated Closed Project Balance		(472,829.91)	
Proposed & Future CIP Project Amount to be Levied - TABLE B		1,928,045.00	

TABLE A - CIP PROJECTS LEVIED

	Approved Budget	Current Expenses	2016 YTD Expenses	INCEPTION To Date Expenses	Remaining Budget	Grant Funds Received
Lakeview Park Pond (ML-8) (2013)	196,000	0.00	0.00	11,589.50	184,410.50	
Four Seasons Mall Area Water Quality Proj (NL-2)	990,000	1,180.50	4,640.50	132,142.34	857,857.66	
2014						
Schaper Pond Enhance Feasibility/Project (SL-1)(SL-3)	612,000	0.00	213,668.55	303,263.45	308,736.55	
Briarwood / Dawnview Nature Area (BC-7)	250,000	0.00	230,401.91	250,000.00	0.00	
Twin Lake Alum Treatment Project (TW-2)	163,000	0.00	66,812.17	91,037.82	71,962.18	
2015						
Main Stem 10th to Duluth (CR2015)	1,503,000	0.00	0.00	105,042.00	1,397,958.00	
2016						
Honeywell Pond Expansion (BC-4) ¹	810,930	0.00	49.50	13,953.98	796,976.02	
Northwood Lake Pond (NL-1) ²	822,140					
Budget Amendment	611,600	1,433,740	0.00	985,902.03	1,085,844.22	294,932.80
		5,958,670	1,180.50	1,501,474.66	1,992,873.31	3,965,796.69

TABLE B - PROPOSED & FUTURE CIP PROJECTS TO BE LEVIED

			Approved Budget - To Be Levied	Current Expenses	2016 YTD Expenses	INCEPTION To Date Expenses	Remaining Budget
2017							
Main Stem Cedar Lk Rd-Dupont (2017CR-M)	2017 Levy	580,930	863,573	1,356.59	71,789.91	114,461.79	749,111.21
	2018 Levy	282,643					
Plymouth Creek Restoration (CR-P)	2017 Levy	400,000	1,064,472	0.00	16,192.00	65,604.13	998,867.87
	2018 Levy	664,472					
2017 Project Totals			1,928,045	1,356.59	87,981.91	180,065.92	1,747,979.08
2018							
Bassett Creek Park & Winnetka Ponds Dredging (BCP-2)				3,368.50	25,329.09	25,329.09	(25,329.09)
2018 Project Totals			0	3,368.50	25,329.09	25,329.09	(25,329.09)
2019							
Bryn Mawr Meadows (BC-5)			0	0.00	0.00	5,282.80	(5,282.80)
2019 Project Totals			0	0.00	0.00	5,282.80	(5,282.80)
Total Proposed & Future CIP Projects to be Levied			1,928,045	4,725.09	113,311.00	210,677.81	1,717,367.19

BCWMC Construction Account

Fiscal Year: February 1, 2015 through January 31, 2016

(UNAUDITED)

December 2016 Financial Report

TABLE C - TAX LEVY REVENUES

	County Levy	/ Adjustments	Adjusted Levy	Current Received	Year to Date Received	Inception to Date Received	Balance to be Collected	BCWMO Levy
2017 Tax Levy			0.00	0.00			0.00	1,303,600.00
2016 Tax Levy	1,222,000.00		1,222,000.00	586,602.10	1,207,171.14	1,207,171.14	14,828.86	1,222,000.00
2015 Tax Levy	1,000,000.00	4,784.98	1,004,784.98	(1,862.58)	1,180.27	1,000,017.76	4,767.22	1,000,000.00
2014 Tax Levy	895,000.00	(5,147.27)	889,852.73	(1,388.11)	(1,269.14)	886,432.27	3,420.46	895,000.00
2013 Tax Levy	986,000.00	(8,746.67)	977,253.33	(1,465.22)	(1,432.61)	974,669.78	2,583.55	986,000.00
2012 Tax Levy	762,010.00	(7,283.60)	754,726.40	(97.90)	(22.60)	754,089.15	637.25	762,010.00
2011 Tax Levy	863,268.83	(12,453.26)	850,815.57	(50.04)	183.50	850,649.73	165.84	862,400.00
				<u>581,738.25</u>			<u>26,403.18</u>	

OTHER PROJECTS:

	Approved Budget	Current Expenses / (Revenue)	2016 YTD Expenses / (Revenue)	INCEPTION To Date Expenses / (Revenue)	Remaining Budget
TMDL Studies					
TMDL Studies	135,000.00	0.00	0.00	107,765.15	27,234.85
TOTAL TMDL Studies	135,000.00	0.00	0.00	107,765.15	27,234.85
Flood Control Long-Term					
Flood Control Long-Term Maintenance	648,373.00	4,794.50	100,406.00	254,181.67	
Less: State of MN - DNR Grants			(13,838.00)	(13,838.00)	
	648,373.00	4,794.50	86,568.00	240,343.67	408,029.33
Annual Flood Control Projects:					
Flood Control Emergency Maintenance	500,000.00	0.00	0.00	0.00	500,000.00
Annual Water Quality					
Channel Maintenance Fund	325,000.00	0.00	0.00	121,242.95	203,757.05
Total Other Projects	1,608,373.00	4,794.50	86,568.00	469,351.77	1,139,021.23

Cash Balance 11/8/16 1,043,252.68

Add:

Transfer from GF 0.00

Less:

Current (Expenses)/Revenue (4,794.50)

Ending Cash Balance 12/07/16 1,038,458.18

Additional Capital Needed (100,563)

Bassett Creek Construction Project Details

12/6/2016

	CIP Projects Levied										
	Total	2013	2013	2014	2014	2014	2015	2016	2016	2017	2017
	CIP Projects Levied	Lakeview Park Pond (ML-8)	Four Seasons Mall Area Water Quality Project (NL-2)	Schaper Pond Enhancement Feasibility / Project (SL-1) (SL-3)	Briarwood / Dawnview Water Quality Improve Proj (BC-7)	Twin Lake In-Lake Alum Treatment Project (TW-2)	Main Stem - 10th Ave to Duluth (CR2015)	Honeywell Pond Expansion (BC-4)	Northwood Lake Pond (NL-1)	Main Stem-Cedar Lk Rd to Dupont (2017 CR-M)	Plymouth Creek Restoration (2017 CR-P)
Original Budget Added to Budget	7,275,115 611,600	196,000	990,000	612,000	250,000	163,000	1,503,000	810,930	822,140 611,600	863,573	1,064,472
Expenditures:											
Feb 2004 - Jan 2005	637.50	637.50									
Feb 2005 - Jan 2006											
Feb 2006 - Jan 2007											
Feb 2007 - Jan 2008											
Feb 2008 - Jan 2009											
Feb 2009 - Jan 2010											
Feb 2010 - Jan 2011	602.00		602.00								
Feb 2011 - Jan 2012	49,194.86	1,476.00	8,086.37	39,632.49							
Feb 2012 - Jan 2013	71,301.89	2,964.05	61,940.82	4,572.97	152.80	1,671.25					
Feb 2013 - Jan 2014	78,112.38	6,511.95	31,006.30	19,079.54	6,477.29	13,678.55	1,358.75				
Feb 2014 - Jan 2015	70,123.05			26,309.90	12,968.00	8,443.85	9,820.60	7,461.95	5,118.75		
Feb 2015-Jan 2016	313,510.98		25,866.35			432.00	93,862.65	6,442.53	94,823.44	42,671.88	49,412.13
Feb 2016-Jan 2017	1,589,456.57		4,640.50	213,668.55	230,401.91	66,812.17		49.50	985,902.03	71,789.91	16,192.00
Total Expenditures:	2,172,939.23	11,589.50	132,142.34	303,263.45	250,000.00	91,037.82	105,042.00	13,953.98	1,085,844.22	114,461.79	65,604.13
Project Balance	5,713,775.77	184,410.50	857,857.66	308,736.55		71,962.18	1,397,958.00	796,976.02	347,895.78	749,111.21	998,867.87
	Total	2013	2013	2014	2014	2014	2015	2016	2016	2017	2017
	CIP Projects Levied	Lakeview Park Pond (ML-8)	Four Seasons Mall Area Water Quality Project (NL-2)	Schaper Pond Enhancement Feasibility / Project (SL-1) (SL-3)	Briarwood / Dawnview Water Quality Improve Proj (BC-7)	Twin Lake In-Lake Alum Treatment Project (TW-2)	Main Stem - 10th Ave to Duluth (CR2015)	Honeywell Pond Expansion (BC-4)	Northwood Lake Pond (NL-1)	Main Stem-Cedar Lk Rd to Dupont (2017 CR-M)	Plymouth Creek Restoration (2017 CR-P)
Project Totals By Vendor											
Barr Engineering	366,605.23	6,338.95	33,311.04	75,251.50	13,089.74	15,712.00	15,825.00	13,157.98	16,771.00	111,643.39	65,504.63
Kennedy & Graven	11,902.00	1,200.55	2,471.95	993.40	1,038.35	1,058.65	2,223.75	796.00	1,701.45	318.40	99.50
City of Golden Valley	572,875.88			213,668.55	230,401.91	66,812.17	61,993.25				
City of Minneapolis											
City of Plymouth	75,759.35		75,759.35								
City of New Hope	1,067,371.77								1,067,371.77		
MPCA	2,500.00									2,500.00	
Blue Water Science	3,900.00					3,900.00					
S E H											
Misc											
2.5% Admin Transfer	72,025.00	4,050.00	20,600.00	13,350.00	5,470.00	3,555.00	25,000.00				
Transfer to General Fund											
Total Expenditures	2,172,939.23	11,589.50	132,142.34	303,263.45	250,000.00	91,037.82	105,042.00	13,953.98	1,085,844.22	114,461.79	65,604.13
	Total	2013	2013	2014	2014	2014	2015	2016	2016	2017	2017
	CIP Projects Levied	Lakeview Park Pond (ML-8)	Four Seasons Mall Area Water Quality Project (NL-2)	Schaper Pond Enhancement Feasibility / Project (SL-1) (SL-3)	Briarwood / Dawnview Water Quality Improve Proj (BC-7)	Twin Lake In-Lake Alum Treatment Project (TW-2)	Main Stem - 10th Ave to Duluth (CR2015)	Honeywell Pond Expansion (BC-4)	Northwood Lake Pond (NL-1)	Main Stem-Cedar Lk Rd to Dupont (2017 CR-M)	Plymouth Creek Restoration (2017 CR-P)
Levy/Grant Details											
2009/2010 Levy											
2010/2011 Levy											
2011/2012 Levy											
2012/2013 Levy	986,000	162,000	824,000								
2013/2014 Levy	895,000			534,000	218,800	142,200					
2014/2015 Levy	1,000,000						1,000,000				
2015-2016 Levy	1,222,000							810,930	411,070		
2016-2017 Levy	1,303,600								322,670	580,930	400,000
Construction Fund Balance	703,000	34,000	166,000				503,000				
BWSR Grant- BCWMO	400,000								400,000		
MPCA Grant-CWPGrant	94,933								94,933		
DNR Grants-LT Maint											
Total Levy/Grants	6,604,533	196,000	990,000	534,000	218,800	142,200	1,503,000	810,930	1,228,673	580,930	400,000
BWSR Grants Received									200,000		
MPCA Grant-CWP (Total \$300,000)									75,000.00		
									19,932.80		

Bassett Creek Construction Project Details

Proposed & Future CIP Projects (to be Levied)				Other Projects						Totals - All Projects
Original Budget Added to Budget	Total Proposed & Future CIP Projects (to be Levied)	2018 Bassett Cr Pk & Winnetka Ponds Dredging (2018 BCP-2)	2019 Bryn Mawr Meadows	DNR Grant From GF	Total	TMDL Studies	Flood Control Emergency Maint	Flood Control Long- Term Maint	Channel Maint	
	Other Projects	1,278,373.00 (250,000.00) 13,838.00 330,000.00	105,000.00		500,000.00					
Expenditures: Feb 2004 - Jan 2005 Feb 2005 - Jan 2006 Feb 2006 - Jan 2007 Feb 2007 - Jan 2008 Feb 2008 - Jan 2009 Feb 2009 - Jan 2010 Feb 2010 - Jan 2011 Feb 2011 - Jan 2012 Feb 2012 - Jan 2013 Feb 2013 - Jan 2014 Feb 2014 - Jan 2015 Feb 2015-Jan 2016 Feb 2016-Jan 2017					6,949.19 10,249.09 23,486.95 70,413.47 31,868.63 15,005.25 168.00 21,094.00 6,732.00 59,459.65 137,357.54 100,406.00	637.20 23,486.95 31,590.12 31,868.63 15,005.25 168.00 3,194.00 1,815.00		3,954.44 9,611.89	2,994.75 38,823.35 17,900.00 4,917.00 24,712.15 110,580.19 100,406.00	637.50 6,949.19 10,249.09 23,486.95 70,413.47 31,868.63 15,607.25 49,362.86 92,395.89 84,844.38 134,865.50 450,868.52 1,715,191.66
Total Expenditures:	30,611.89	25,329.09	5,282.80		483,189.77	107,765.15		254,181.67	121,242.95	2,686,740.89
Project Balance	(199,446.39)	(25,329.09)	(5,282.80)		1,139,021.23	27,234.85	500,000.00	408,029.33	203,757.05	4,913,317.53
Project Totals By Vendor				DNR Grant From GF	Total	TMDL Studies	Flood Control Emergency Maint	Flood Control Long- Term Maint	Channel Maint	Totals - All Projects
			Other Projects		330,378.76 2,648.25 55,287.50 26,747.50 38,823.35					
Barr Engineering Kennedy & Graven City of Golden Valley City of Minneapolis City of Plymouth City of New Hope MPCA Blue Water Science S E H Misc 2.5% Admin Transfer Transfer to General Fund	30,611.89	25,329.09	5,282.80		3,992.26 1,712.15 23,600.00	1,712.15		3,992.26	23,600.00	2,686,740.89
Total Expenditures	30,611.89	25,329.09	5,282.80		483,189.77	107,765.15		254,181.67	121,242.95	
Levy/Grant Details				DNR Grant	Total	TMDL Studies	Flood Control Emergency Maint	Flood Control Long- Term Maint	Channel Maint	Totals - All Projects
			Other Projects		60,000.00 60,000.00 60,000.00 50,000.00 50,000.00 <th>10,000 10,000 10,000<th>25,000 25,000 25,000 25,000 25,000<th>25,000 25,000 25,000 25,000<th>60,000 60,000 1,046,000 945,000 1,050,000</th></th></th></th>					
2009/2010 Levy 2010/2011 Levy 2011/2012 Levy 2012/2013 Levy 2013/2014 Levy 2014/2015 Levy 2015-2016 Levy 2016-2017 Levy Construction Fund Balance BWSR Grant- BCWMO MPCA Grant-CWPGGrant DNR Grants-LT Maint				2010/2011 2011/2012 2012/2013 2013/2014 2014/2015 2015/2016	50,000.00		25,000	25,000	753,000 400,000	
Total Levy/Grants					343,838.00	30,000		163,838	150,000	4,314,000

AGREEMENT FOR ENGINEERING SERVICES

THIS AGREEMENT made and entered into this day of December 16, 2016

Between: Bassett Creek Watershed Management Commission
4300 MarketPointe Drive, Suite 200
Minneapolis, MN 55435
(hereinafter called "CLIENT")

And: Wenck Associates, Inc.
1800 Pioneer Creek Center
P.O. Box 249
Maple Plain, Minnesota 55359-0249
(hereinafter called "WENCK")

(and together "the Parties")

Witnesseth that the Parties hereto agree, each with the other, as follows:

1. PROJECT

This Agreement pertains to the provision of engineering services for the Proposal for the Bassett Creek Watershed Outlet Monitoring Services dated December 6, 2016 hereinafter called the "Project".

2. SCOPE OF SERVICES

The services to be performed by WENCK for the Project are set forth in WENCK's proposal referred to as the "2017 Bassett Creek Watershed Outlet Monitoring Program Services" (collectively, the "Services"). The Services may be modified by a written, mutually agreeable Change Order. WENCK shall provide the Services as an independent contractor.

3. COMPENSATION

Compensation shall be paid for the Services actually provided in accordance with the WENCK's proposal. The Project will be invoiced on a monthly basis for professional time completed and expenses incurred with a 0% mark-up. Invoices are to be paid within 45 days of receipt of the invoice.

4. TERM

WENCK will commence the Services beginning January 1, 2017 and provide appropriate expertise and will proceed with due diligence until December 31, 2017.

5. TERMINATION

This Agreement may be terminated by CLIENT upon 5 days notice in writing to WENCK. CLIENT shall forthwith pay to WENCK all amounts, including all expenses and other charges, payable under this agreement as of the termination date.

6. STANDARD OF CARE/INDEMNITY

WENCK will provide:

- A. The standards of care, skill and diligence normally provided by a professional in the performance of the Services contemplated by this Agreement.
- B. Wenck agrees to indemnify and hold CLIENT harmless from any claim, cause of action, demand or other liability of any nature or kind (including the costs of reasonable attorney's fees and expert witness fees) arising out of any alleged negligent act or omission of Wenck or any subcontractor of Wenck in connection

with the Services performed under the terms of this Agreement. Nothing herein shall be deemed a waiver by CLIENT of any limitations or exemptions from liability available to it under Minnesota Statutes, chapter 466 or other law.

- C. WENCK shall, during the entire term of this agreement, maintain commercial general liability insurance and professional liability insurance, each with a policy limit of at least \$1,000,000. WENCK shall have CLIENT named as an additional insured on WENCK's commercial general liability policy. WENCK shall provide CLIENT a certificate of insurance showing proof of such coverages.

7. DISPUTE RESOLUTION/GOVERNING LAW

If a dispute arises out of or in connection with this Agreement or the breach thereof, the Parties will attempt to settle the dispute by negotiation before commencing legal action. The governing law shall be the law of the State of Minnesota.

8. NOTICE AND OFFICIALS

WENCK will appoint a Project Manager who shall be in charge of the Project for WENCK. CLIENT shall designate in writing an official who shall be authorized to act for the CLIENT. The person so appointed by WENCK will maintain close contact with the authorized representative of CLIENT. All notices to WENCK, including without limitation, those concerning changes in the scope of Services shall be directed in writing to the appointed Project Manager at the address shown above. Notices to CLIENT shall be directed in writing to CLIENT at the address of CLIENT shown above or to such other address as the CLIENT may in writing designate.

9. MISCELLANEOUS

This Agreement i) constitutes the entire agreement between the Parties, ii) supersedes any previous representations or agreements between the Parties with respect to the Service, iii) may be modified or amended only in a writing signed by the Parties, and iv) shall inure to the benefit of and be binding upon the Parties, their respective permitted successors and assigns. Neither Party may assign this Agreement in whole or in part without the express written consent of the other Party. Nothing in this Agreement is to be construed to create any rights in any third party (including without limitation vendors and contractors working on the Project whether as third party beneficiaries or otherwise. WENCK shall comply with all applicable laws, rules, and regulations in providing the Services. WENCK agrees to comply with the Minnesota Data Practices Act with respect all data created, collected, received, stored, used, maintained, or disseminated by WENCK in the course of providing Services under this Agreement. This Agreement does not require data on individuals to be made available to WENCK. The books, records, documents, and accounting procedures of WENCK related to the Services are subject to examination by CLIENT and either the legislative auditor or the state auditor, as appropriate, for a minimum of six years.

10. GRANT REQUIREMENTS

WENCK recognizes that CLIENT has undertaken certain obligations as part of the "Grant Agreement between the Metropolitan Council and Bassett Creek Watershed Commission For The Metropolitan Area Watershed Outlet Monitoring Program (WOMP2)" (the "Metropolitan Council Grant"), a copy of which is attached to the proposal, and the State Grant which is attached to the Metropolitan Council Grant as Exhibit EC. WENCK agrees that obligations imposed by the Metropolitan Council Grant on subgrantees and subcontractors are hereby made binding on WENCK, and that the terms of said agreement are incorporated into this Agreement to the extent necessary for the Metropolitan Council to meet its obligations under the State Grant Agreement. Terms of the Metropolitan Council Grant that are specifically incorporated include, without limitation, the terms of paragraphs 4.02 and 9.10 of the Metropolitan Council Grant.

IN WITNESS WHEREOF the parties have duly executed this Agreement.

“CLIENT”

Bassett Creek Watershed
Management Commission

“WENCK”

Wenck Associates, Inc.

By: _____
Its Chair

Its Secretary

By: _____

Its:



Responsive partner.
Exceptional outcomes.

December 6, 2016

Ms. Laura Jester

Bassett Creek Watershed Management Commission
16145 Hillcrest Lane
Eden Prairie, MN 55346

RE: 2017 Bassett Creek Watershed Outlet Monitoring Program Services

Dear Ms. Jester:

Thank you for the opportunity to provide a scope of work and budget to continue operating the Met Council Environmental Services' (MCES) Watershed Outlet Monitoring Program (WOMP) station for Bassett Creek. Wenck has a long history of providing stream monitoring expertise to our clients and are confident this expertise will provide the Bassett Creek Watershed Management Commission (BCWMC) the highest quality stream monitoring.

Scope of Work

Wenck Associates will provide monitoring services and work with MCES staff to ensure that all monitoring needs/requirements for the Bassett Creek WOMP are satisfied. Wenck will complete the following tasks to accomplish the scope of work:

Task 1. Project Management.

This task assumes 1 hour of Wenck staff time per month for managing/coordinating budgets and field staff, and communication between Wenck, MCES, and BCWMC staff.

Task 2. Routine Monitoring.

Wenck will collect routine monitoring samples once every two weeks beginning in January 2017 through December 2017 (25 total events). This task assumes 3 hours of staff time per sample event which includes field sampling preparation, sample collection, and sample delivery to MCES laboratory in St. Paul.

Task 3. Storm Event Monitoring.

Wenck will target and collect approximately 10 storm event samples in 2017. This task assumes 3 hours of staff time per sample event which includes field sampling prep, sample collection, and sample delivery to MCES laboratory in St. Paul.

Task 4. Attend MCES Cooperator Forum

One Wenck staff member will attend MCES's WOMP Station Cooperator Forum which is typically held in the spring.

Cost Estimate

Wenck proposes to perform the scope of work stated above on a time and materials basis for a total estimated cost of \$15,998 for the 2017 monitoring season. A detailed breakdown of our cost estimate is provided below.

-

Table 1: Tasks and estimated costs.

Staff	Task	Hours/ Quantity	Total Cost
Jeff Strom	Task 1: Project Management	12	\$1,680
Tom Langer/ Brian Beck	Task 2: Routine Monitoring	75	\$8,250
Tom Langer/ Brian Beck	Task 3: Storm Event Monitoring	30	\$3,300
Tom Langer/ Brian Beck	Task 4: Attend MCES Cooperator Forum	6	\$660
--	Mileage	1,575 miles	\$858
	Equipment (Data Sonde)	\$50/day	\$1,250
Total Estimated Project Cost			\$15,998

Summary

On behalf of the 300+ employee-owners of Wenck, thank you for this opportunity to work with the BCWMC. Should you have any questions, or need clarification of anything presented in this scope of work, please do not hesitate to contact Jeff Strom at 763-252-6833 or jstrom@wenck.com.

Sincerely,

Wenck Associates, Inc.



Jeff Strom
Associate

Clean Water Fund Project Application

Item 4G.
BCWMC 12-15-16



Project name:	Northside Neighborhood Engagement and Opportunities in Clean Water Initiatives		
Date of application:	12/1/16	Contact address:	16145 Hillcrest Lane Eden Prairie, MN 55346
Local government unit:	Bassett Creek Watershed Management Commission		
Contact name:	Laura Jester	Contact phone:	952-270-1990
Contact title:	Administrator	Contact e-mail:	Laura.jester@keystonewaters.com

Water resource of concern:	Bassett Creek, Mississippi River		
BMP to be installed: [choose from the drop-down]	Urban landscaping - Raingarden		
	CLICK HERE		
	CLICK HERE		
Pollutant reduction estimate: [choose from the drop-down or insert estimator under "other"]	Pollutant	Amount	Estimation method:
	Phosphorus - est. reduction (lbs/yr)	.75 lbs total (.25 lb/yr/block)	Other: WinSLAMM
	CLICK HERE		CLICK HERE
	CLICK HERE		CLICK HERE
	CLICK HERE		CLICK HERE

Est. length of crew time required: [# of days based on a 5 person crew]	12 Days (summer youth crew), 2 Days (young adult crew)	Season/dates preferred: [crews are available Mar 1 - Dec 10]	Young Adult (2 days): April 2017 Youth (12 days): August 2017
Project location: [address or physical description] Attach aerial photo/map with project location	Proposed projects are located in Near North Minneapolis, within the Harrison Neighborhood. Harrison is immediately adjacent to Bassett Creek. See map attached.		
Detailed description and purpose of project including desired outcomes:	<p>North of Glenwood Avenue in Harrison nearly 90% of boulevard trees are ash trees that will be systematically removed over the next 5 years to prevent the spread of Emerald Ash Borer. In partnership with Metro Blooms, we propose the installation of boulevard bioswales in conjunction with the Minneapolis Park and Recreation Board's (MPRB) Ash tree replacement plan. The MPRB is a partner on this project and will remove ash trees next summer along blocks targeted for this project. Once removed, we hope to work with a Conservation Corps summer youth crew to excavate the boulevards into bioswales that capture stormwater runoff. Boulevards will be planted or seeded with low growing, low maintenance turf alternatives prior to the MPRB replacing the tree. While participation is optional, there is no financial commitment required of property owners. Our goal is to engage 50-80% of each block in this project, with the help of a block leader (total of 6 blocks – 3 in 2017, 3 in 2018). The two days of young adult crew time in the spring would be used to shape and plant boulevards around Redeemer Lutheran Church in Harrison that were excavated this fall.</p> <p>This project is dedicated to ensuring that the expanding community of gardeners and engaged citizens in Harrison are active participants in helping to restore the ecological</p>		

Clean Water Fund Project Application



	<p>function of the neighborhood in a way that ensures environmental justice goals are advanced. We are committed to working with community groups such as the Harrison Neighborhood Association and Redeemer Luther Church to advance a project that equitably benefits all of Harrison's diverse racial, cultural, and economic groups while addressing local water quality issues related to urban runoff.</p> <p>The 2017 phase of this project includes the engagement and installation of boulevard bioswales along 3 blocks in the Harrison Neighborhood. In addition to volume and pollutant reduction, practices create native habitat. The urban heat island effect is addressed through increased green space and the infiltration of runoff, so it can be cleaned and cooled naturally before entering Bassett Creek and the Mississippi River.</p> <p>In addition to the boulevard installations, Metro Blooms, in partnership with Bassett Creek Watershed Management Commission (BCWMC) and the Metropolitan Council, is piloting a maintenance training and certification program in North Minneapolis in 2017. The training focuses on sustainable land care maintenance, including the maintenance of raingardens, native plantings, and healthy yards. The goal of the training program is to increase the number of qualified, affordable landscape maintenance contractors. We hope to engage a summer youth crew in the pilot of this training in 2017.</p>
<p>Description of crew responsibilities and tasks to be carried out:</p>	<p>Youth crews assist with excavation, shaping, mulching, planting, and seeding of boulevard bioswales at participating properties following removal of ash trees by the MPRB and excavation of roots by landscape contractors from NEON (Northside Economic Opportunity Network). Crews finish excavation so boulevard grade is 2-3" below sidewalk/curb, place double shredded hardwood mulch and/or erosion control fabric, and plant and/or seed boulevards. They may also maintain boulevards installed in 2016 and provide maintenance education to property owners. Metro Blooms' Landscape Designers and/or Landscape Architect lead crew members through the construction of each boulevard bioswale. Youth crews may work with the Mississippi River Green Team, Step Up interns, and/or Minneapolis Public School Fast Track Youth during planting.</p> <p>The youth crew is also expected to participate in daily educational activities and project evaluation (see educational value question below).</p>
<p>List hand and power tools needed for the project:</p>	<p>Spade shovels, flat shovels, wheelbarrows, metal rakes, pitchforks, Pulaski, loppers, and dump trailer. If dump trailer is unavailable Metro Blooms will provide.</p>
<p>Double-click to check the box that best describes the project. <small>[Projects will be funded based on priority level, listed from high to low]</small></p>	<p><input checked="" type="checkbox"/> HIGH - New installation or establishment of BMPs</p> <p><input type="checkbox"/> MEDIUM - Maintenance of newly established BMPs (within a 3-year establishment period)</p> <p><input type="checkbox"/> LOW - General maintenance beyond the establishment period</p>
<p>Is all permitting, contracting, landowner consent completed? If not, what is still required which may cause delay or cancellation of this project? Please explain.</p>	<p>Projects require permits from the City of Minneapolis to excavate in the right-of-way. Metro Blooms has a close relationship with the City permit review staff - they're aware of this project and are dedicated to supporting the project through expeditious approval of permits if necessary.</p> <p>The project also requires landowner consent. Project participants on one block have already committed but the other two blocks have not been engaged at this point. Recruitment will continue through the spring of 2017.</p>

Clean Water Fund Project Application



<p>Has a TMDL implementation plan, watershed management plan, county comprehensive local water management plan, local surface water management plan, metro groundwater plan, surface water intake plan or well head protection plan been approved and locally adopted? Please explain.</p>	<p>This project lies within the Bassett Creek and Mississippi River Watersheds in Minneapolis, Minnesota. The main stem of Bassett Creek is a Bassett Creek Watershed Management Commission (BCWMC) Priority 1 stream, as listed in their watershed management plan. It is included on the Minnesota Pollution Control Agency's (MPCA) Impaired Waters list for aquatic life (due to chlorides) and aquatic recreation (due to fecal coliform). This area is also included in the approved Upper Mississippi Bacteria TMDL Implementation Plan, which states "in the case of the Bassett Creek Subwatershed, pets are identified as the most likely bacteria source. High priority implementation actions include the installation of biofiltration/filtration BMPs where feasible."</p> <p>BCWMC goals as outlined in the 2015 BCWMC Watershed Management Plan call for increased public awareness of the impact that individuals, businesses and organizations have towards affecting water quality. The management plan calls for initiatives that motivate behavioral changes and engage the public as partners for improved water quality.</p>
<p>How will this project ensure practices implemented will be of long-lasting public benefit with a minimum 10 years effective life?</p>	<p>Each participant is required to sign a maintenance agreement, committing to maintain practices for at least 10 years. Projects are designed to be low maintenance. All plants are low-growing, walkable, and mowable. Residents also have the option to hire graduates from the maintenance training program to assist with maintenance.</p>
<p>Describe the project's educational value and/or on-site education provided to the crew.</p>	<p>A focus of this project is providing summer youth crews with sustainable land care maintenance education. The maintenance training program could be completed by a youth crew over the course of 1-2 weeks. Each day, 1 - 2 hours would be dedicated to education and sharing of lessons learned on topics including stormwater management, plant identification, when/how to remove weeds and invasive species, and long term care and potential next steps along a career pathway. Lessons are led by field experts - primarily Blue Thumb and local government partners.</p> <p>In addition to the maintenance training, youth crews are led by Metro Blooms' Landscape Designers/Landscape Architect. Metro Blooms provides detailed instruction regarding excavation, grading, stormwater conveyance, erosion control, planting and seeding.</p>
<p>Local financial contribution - itemized description and amount: While there is no required match minimum, local financial contribution is still desired. Input in-kind staff time, non-state funds and/or project materials and total \$ amount</p>	<p>\$100,000 – Metropolitan Council (approved; 2016-2018) \$4,000 – Bassett Creek Watershed Management Commission (pending board approval)</p>

Application Deadline December 15!

Submit completed electronic Project Application in MS Word format with PDF aerial photo/map of project location to cleanwater@conservationcorps.org

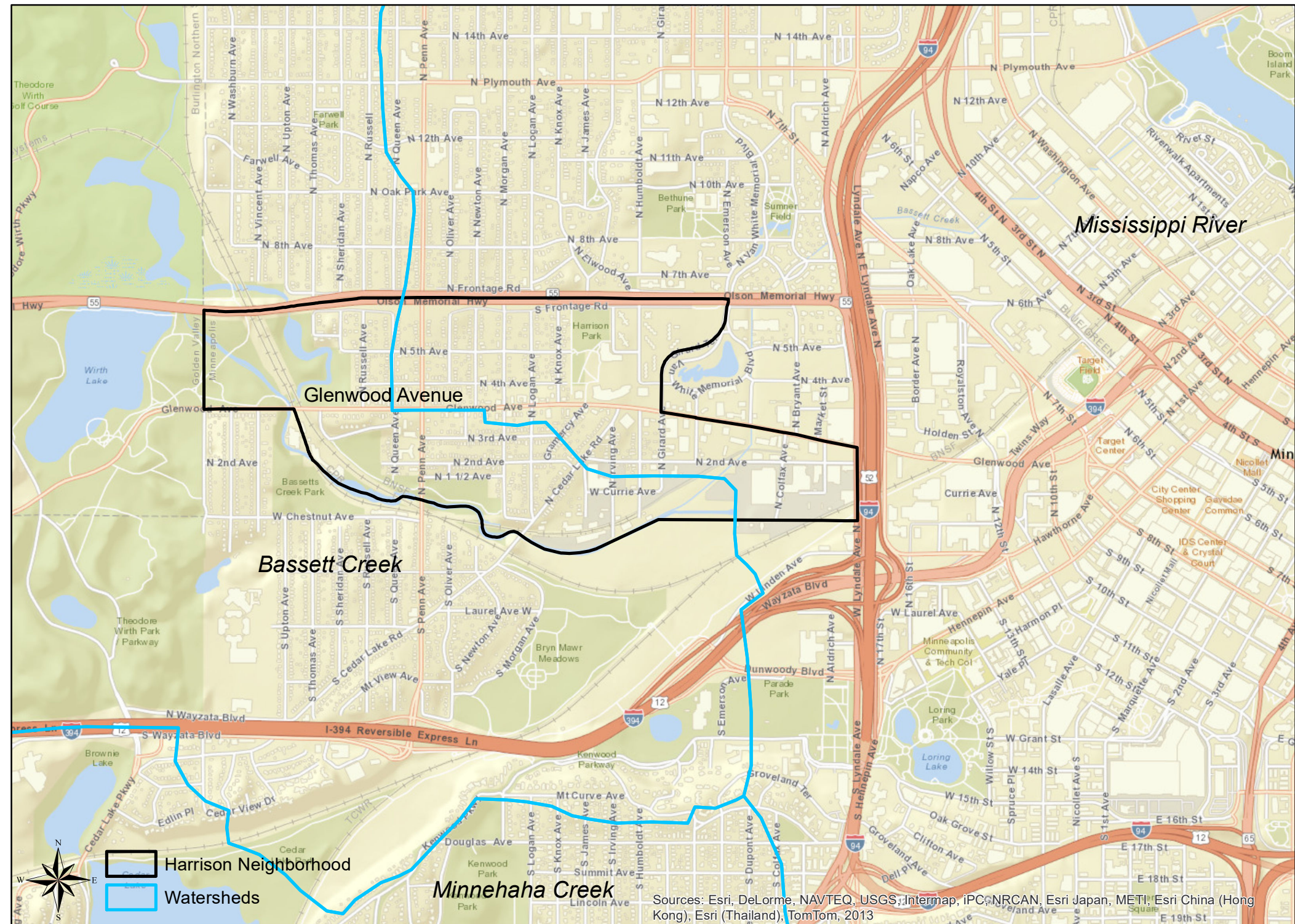
Conservation Corps Minnesota

60 Plato Blvd E Ste 210, Saint Paul MN 55107

Phone: 651-209-9900 x19

conservationcorps.org

Harrison Project Map





Memorandum

To: Bassett Creek Watershed Management Commission
From: Barr Engineering Co.
Subject: Bassett Creek 2016 Flood Control Project Inspection
Date: December 7, 2016
Project: 23270051.37 2016 4065

In accordance to the Operation and Maintenance Manual for the Bassett Creek Flood Control Project, an annual inspection is required to review the condition of the Flood Control Project (FCP) features. The FCP was turned over to the local sponsor during 2002. Therefore, inspection of the FCP features was initialized during the fall of 2002, which was the first formal inspection by the BCWMC. Except as noted, the annual inspections have been performed during the years 2002-2016. Inspections were not performed during 2003, 2011, and 2013 due to BCWMC budget considerations. Some of the municipalities have performed independent inspections of several of the FCP structures. The municipalities are responsible for routine maintenance and repair of the BCWMC FCP features located within their city (see Table 1 at the end of this memo). The municipalities are also responsible for submitting the completed Bassett Creek Flood Control Project Maintenance Record from the previous year's inspection. To date, maintenance records following last year's inspection have only been provided by the City of Plymouth. It is important that the BCWMC receive these records, as the inspection and reporting are essential to ensure the BCWMC maintains its eligibility to receive federal funds to repair or replace FCP features in the event of a catastrophe.

The municipalities may request reimbursement from the BCWMC for maintenance and repairs that exceed \$25,000. However, the municipalities must perform regular, routine maintenance and submit the required reporting before requesting and receiving BCWMC reimbursement. This will help prevent the situation wherein the BCWMC pays for maintenance work over \$25,000 because the municipalities neglected routine maintenance for several years. The BCWMC expects the municipalities to inform the Commission in advance (e.g., two years) of their request for reimbursement.

The BCWMC will consider adding maintenance and repair projects that are more than \$100,000 to the BCWMC CIP. Table 1 (at the end of this memo) provides examples of maintenance and repairs that are major or could be major.

In addition, the cities (or other road authority) where the FCP features are located are responsible for maintenance, repair and replacement of road crossings, and their corresponding conveyance structures, that were installed as part of the FCP.

Following are the 2016 inspection comments and recommendations:

Plymouth Features

Inspection Date: October 20, 2016

Personnel: Patrick Brockamp & Josh Phillips (Barr)

1. Plymouth Creek Fish Barrier (Constructed 1987)

- a. The water flow over the weir structure was about three inches deep.
- b. The overall condition of the structure was satisfactory and appeared similar to the previous inspection (the concrete appeared to be in good condition).
- c. There are a few small cracks in the downstream portion of the left wing wall. No change from previous inspection notes.
- d. The expansion joint in the middle of the right abutment wall appears to be consistent to last few years and the gap was measured at approximately $\frac{3}{4}$ inch.
- e. Some of the riprap on the west (right) slope downstream of the structure has slid, exposing the filter fabric underlayment. This was noted in previous inspections and there has been no change.
- f. Sediment has continued to accumulated upstream of the structure. The upstream pool is filling with sediment and has formed a delta/island with vegetation growing on it. Vegetation appears less dense than previous years. Sediment is depositing in two distinct areas while allowing flow to go between or toward the right and left banks. We understand the MPCA did not support or permit this activity during the 2010 channel restoration project.
- g. Rust was noted on railings. The upstream end of the railing on both sides of the structure has deteriorated due to rust below the water line and is no longer connected to the concrete. The railing is still functional but should be repaired.

Recommended Action:

- Remove accumulation of sediment from upstream pool (coordination with MPCA and DNR will be necessary).
- Monitor west downstream slope and replace riprap, as necessary.

Note: references to "right" and "left" are with respect to facing downstream.



BASSETT CREEK WATERSHED MANAGEMENT COMMISSION

A RESOLUTION OF APPRECIATION FOR SERVICES OF GINNY BLACK TO THE BASSETT CREEK WATERSHED MANAGEMENT COMMISSION

WHEREAS, the Bassett Creek Watershed Management Commission (the "Commission") is a joint powers organization formed by the cities of Crystal, Golden Valley, Medicine Lake, Minneapolis, Minnetonka, New Hope, Plymouth, Robbinsdale and St. Louis Park; and

WHEREAS, the Commission serves as the duly constituted watershed management organization for the Bassett Creek watershed pursuant to the Metropolitan Surface Water Management Act); and

WHEREAS, under the Act and the Commission's joint powers agreement the Commission is charged with responsibility for the management of storm water to protect persons and property from flooding and to protect and preserve the water quality of lakes, streams and wetlands of the Bassett Creek Watershed and downstream receiving waters; and

WHEREAS, Ginny Black served as a representative from the City of Plymouth from for twelve years from 2005 to 2016; as Commissioner in 2005, Secretary in 2006, Vice Chair 2007 – 2011 and 2013, and Commission Chair in 2012; and

WHEREAS, before joining the BCWMC as a Commissioner, Ginny was an active member of the Planning Advisory Group that began in 2001 to develop significant policy recommendations for the 2004 Watershed Management Plan; and

WHEREAS, Ginny was again an active participant in the Plan Steering Committee for the development of the 2015 Watershed Management Plan, and also served on other committees during her tenure on the Commission including the Education Committee, Budget Committee, Administrative Services Committee, and the Aquatic Plant Management/Aquatic Invasive Species Committee; and

WHEREAS, Ginny regularly and enthusiastically volunteered to represent the BCWMC at community events to engage and educate watershed residents; and

WHEREAS, Ginny gave generously of her time and talents, without compensation, to protect and improve the environment and to serve the public with integrity, vision, and respect for others.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Bassett Creek Watershed Management Commission, its member cities, and the public hereby express its sincere and grateful appreciation to Ginny Black for her distinguished service to the public.

Adopted by the Board of Commissioners of the Bassett Creek Watershed Management Commission this 15th day of December, 2016.

Chair

Memorandum

To: Bassett Creek Watershed Management Commission
From: Barr Engineering Co.
Subject: Item 5C – Consider Approval of Southwest Light Rail Transit (SWLRT) Project –
Minneapolis
BCWMC December 15, 2016 Meeting Agenda
Date: December 7, 2016
Project: 23270051 2016 2083

5C Consider Approval of Southwest Light Rail Transit (SWLRT) Project – Minneapolis BCWMC 2016-17

Summary:

Proposed Work: Construction of a new LRT project along a corridor from Minneapolis to Eden Prairie, including stations, tracks, and park & ride features

Basis for Commission Review: Linear (tracks and stations) construction project disturbing over 5 acres

Impervious Surface Area: Increase in impervious area by approximately 1.3 acres

Recommendation:

- (1) Approval
- (2) Extend approval expiration date through December 2021

General Background & Comments

(Note: As described later in this memo, the Commission approved SWLRT's requested connection to the new Bassett Creek tunnel at their March 17, 2016 meeting. A condition of that approval was that "drawings and supporting information must be submitted to the BCWMC Engineer for separate review as part of the BCWMC project review program." The Commission reviewed the SWLRT project at their June 16, 2016 meeting. The Commission did not approve the project plans, but they directed BCWMC staff to submit comments to the project proposer and to bring revised SWLRT project plans to the Commission at a future meeting, at which time the Commission would also consider extending the approval expiration date through December 2020. The SWLRT project team submitted revised plans in response to the BCWMC's comments.)

The proposed SWLRT project is a 16-mile extension of the Green Line/Central Corridor LRT. The SWLRT project requests that the BCWMC extend the review approval through December 31, 2021. This is longer than the 2 years allowed upon issuance of a BCWMC approval, per the September 2015 BCWMC Requirements for Improvements and Development Proposals (Requirements) document. The extension request is also one year longer than requested with the previous submittal, due to revenue service projected to begin in 2021, rather than 2020.

To: Bassett Creek Watershed Management Commission
From: Barr Engineering Co.
Subject: Item 5C – Consider Approval of Southwest Light Rail Transit (SWLRT) Project – Minneapolis
Date: December 7, 2016
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Approximately two miles of the proposed SWLRT project corridor falls within the boundaries of the Bassett Creek watershed, in the City of Minneapolis. Within the Bassett Creek watershed, the project includes freight rail, light rail, paved trails, associated support facilities, and two stations. The three project segments within the Bassett Creek watershed are Segments E4-1A, E4-1B, and E4-2 (see attached map). The SWLRT project team submitted a separate stormwater management plan for each segment; they also provided project-wide construction plans and a Stormwater Pollution Prevention Plan (SWPPP).

The entire project will disturb approximately 485 acres and will increase the imperviousness by 37.9 acres, from 196.1 acres to 234 acres (19.3% increase). For the segments within the Bassett Creek watershed, the following table summarizes the project segment, the general scope of the work, the watershed area, and the existing and proposed imperviousness. In the Bassett Creek watershed, the proposed project would result in a net increase of 1.3 acres in impervious area over existing conditions.

<i>Project Segment</i>	<i>General Scope</i>	<i>Existing Total Watershed Area (ac)</i>	<i>Existing Impervious Area (ac)</i>	<i>Proposed Total Watershed Area (ac)</i>	<i>Proposed Impervious Area (ac) (Change from Existing)</i>
E4-1A	Reconstruction of bike/ped trail, LRT tracks, Bryn Mawr Station and ped bridge, passenger drop off lane, side walk additions and safety improvements at Wayzata Blvd and Penn Ave	58.3	11.9	58.3	14.3 (+2.4)
E4-1B	Reconstruction of bike/ped trail, LRT tracks, Bassett Creek Valley (BCV) station, ped bridge from Luce Line Trail to (BCV) Station, and passenger drop off lane	37.4	25.3	37.5	23.0 (-2.3)
E4-2	Conversion of existing corridor to a combined parallel freight rail, ped trail, LRT guideway section, Glenwood LRT Bridge, replacement of adjoining Glenwood Ave bridge decks	9.7	3.8	9.6	5.0 (+1.2)
Bassett Creek Watershed Totals		105.4	41	105.4	42.3 (+1.3)

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Floodplain

The project does not involve work in the Bassett Creek 100-year floodplain.

Wetlands

The City of Minneapolis is the LGU for administering the Minnesota Wetland Conservation Act (WCA). According to the application, the SWLRT project within the Bassett Creek watershed will not impact any wetlands. No wetlands were identified within Segment E4-1B or Segment E4-2. Segment E4-1A contains DOT-MPL-11, a PEMC Type 3 shallow marsh that is part of the highway drainage system per the SWLRT project team's 10-02-2014 Wetland Delineation Report. This wetland is a regional MnDOT-owned treatment pond and is located south of the proposed drop-off lane for access to Bryn Mawr Station southeast of Penn Ave. S and I-394. According to the segment E4-1A stormwater management plan, it is the SWLRT project team's understanding that the pond is not subject to WCA regulation because it was created incidentally as part of the I-394 construction in the 1980's. This needs to be confirmed by the City of Minneapolis.

Stormwater Management

The BCWMC Requirements document requires that projects containing more than 1 acre of new or redeveloped impervious area must be managed such that proposed peak flows leaving the site are equal to or less than the existing rate leaving the site for the 2-, 10-, and 100-year events based on Atlas 14 precipitation depths, using the 24-hour nested distribution. As discussed below, all proposed peak flows meet the BCWMC requirement.

Under existing conditions, the watersheds within Segments E4-1A and E4-1B ultimately drain to Bassett Creek (and the new Bassett Creek tunnel). The existing watersheds within Segment E4-2 are technically within the jurisdiction of the Mississippi Watershed Management Organization (MWMO) and ultimately drain to the old Bassett Creek tunnel; however under proposed conditions, the watersheds within Segment E4-2 will be connected to the new Bassett Creek tunnel (see additional discussion below).

For the proposed stormwater management system within the Segment E4-1A, the following table summarizes the existing and proposed peak discharges from the project area to Bassett Creek:

<i>Storm Event</i>	<i>Existing Peak Discharge (cfs)</i>	<i>Proposed Peak Discharge (cfs)</i>
2-year	21.12	19.26
10-year	47.09	45.34
100-year	115.49	115.33

For the proposed stormwater management system for Segment E4-1B, the following table summarizes the existing and proposed peak discharges from the project area to Bassett Creek:

<i>Storm Event</i>	<i>Existing Peak Discharge (cfs)</i>	<i>Proposed Peak Discharge (cfs)</i>
2-year	19.91	5.07
10-year	32.82	10.36
100-year	68.59	36.69

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For the proposed stormwater management system for Segment E4-2, the following table summarizes the existing peak discharge to the old Bassett Creek tunnel and proposed peak discharges to the new Bassett Creek tunnel. *(As part of this project, the SWLRT requested connection of the drainage from the proposed stormwater BMPs in Segment E4-2 to the new Bassett Creek tunnel near Glenwood Avenue. This tunnel connection was evaluated in December 2015-January 2016 and approved by the Commission at their March 17, 2016 meeting.)*

Storm Event	Existing Peak Discharge (cfs) (to Old Bassett Creek Tunnel)	Proposed Peak Discharge (cfs) (to New Bassett Creek Tunnel)
2-year	8.63	8.42
10-year	19.43	19.31
100-year	46.29	42.66

Water Quality Management

Within the Bassett Creek watershed, the SWLRT project is a linear project that will create one acre or greater of new and/or fully reconstructed impervious surfaces. Per the BCWMC Requirements document, the project must capture and retain the larger of 1) 0.55 inches of runoff from the new and fully reconstructed impervious surfaces, or 2) 1.1 inches of runoff from the net increase in impervious area. Per the MIDS design sequence flow chart, the volume reduction techniques considered to “capture and retain” runoff are to include infiltration, rainwater harvesting and reuse, bioretention, permeable pavement, tree boxes, grass swales and/or additional techniques included in the MIDS calculator or the Minnesota Stormwater Manual (i.e., infiltration practices). If the applicant is unable to meet the performance goal due to site restrictions, the Requirements document requires that the applicant use the MIDS flexible treatment options approach, following the MIDS design sequence flow chart.

Under existing conditions, there is limited water quality treatment within the watersheds in the BCMWC that are included with SWLRT project segments E4-1A, E4-1B, and E4-2.

Per the stormwater management plan for segment E4-1A, 0.55 inches of runoff from the new and fully reconstructed impervious surfaces is the larger volume, resulting in a required “capture and retain” (infiltration) volume of 0.319 acre-feet (13,916 cubic feet). Several different BMPs are proposed within segment E4-1A, including four (4) infiltration basins and five (5) filtration basins. Because of extensive areas of contamination and shallow groundwater, infiltration was not possible at many sites. There are also several other BMPs included to provide pretreatment and/or rate control. The following summarizes the estimated filtration and infiltration volumes provided by the BMPs in segment E4-1A:

BMP Type	Volume Provided (cubic feet)
Infiltration	3,975
Filtration	19,887

Per the stormwater management plan for segment E4-1B, 0.55 inches of runoff from the new and fully reconstructed impervious surfaces is the larger volume, resulting in a required “capture and retain”

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From: Barr Engineering Co.
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(infiltration) volume of 0.428 acre-feet (18,647 cubic feet). Several different BMPs are proposed within segment E4-1B including four (4) infiltration basins and four (4) filtration basins. Because of extensive areas of contamination, infiltration was not possible at many sites. The following summarizes the estimated filtration and infiltration volumes provided by the BMPs in segment E4-1B:

<i>BMP Type</i>	<i>Volume Provided (cubic feet)</i>
Infiltration	4,766
Filtration	36,873

Per the stormwater management plan for segment E4-2, 0.55 inches of runoff from the new and fully reconstructed impervious surfaces is the larger volume, resulting in a required “capture and retain” (infiltration) volume of 0.139 acre-feet (6,073 cubic feet). Several different BMPs are proposed within segment E4-2 including two (2) infiltration basins and one (1) filtration basin. Because of contamination, infiltration was not possible at all sites. The following summarizes the estimated filtration and infiltration volumes provided by the BMPs in segment E4-2:

<i>BMP Type</i>	<i>Volume Provided (cubic feet)</i>
Infiltration	5,823
Filtration	2,515

The MIDS calculator was used to evaluate the proposed stormwater BMPs intended to improve water quality and the SWLRT project team summarized the results in the Stormwater Management Plans they submitted for each segment within the Bassett Creek watershed.

For segment E4-1A, because of the lack of space within the right-of-way, extensive contamination, and areas of high groundwater, the project is pursuing Flexible Treatment Option (FTO) Alternative Number 2, in accordance with the MIDS Design Flow Chart. FTO No. 2 includes achieving volume reduction to the maximum extent practical, removing 60 percent annual total phosphorus load, and considering relocation of project elements to address varying soil conditions and other constraints across the site. However, as summarized in the Stormwater Management Plan for Segment E4-1A (October 21, 2016), the proposed stormwater management system in segment E4-1A does not meet MIDS FTO No. 2. However, the combined total phosphorus removal of segments E4-1A, E4-1B, and E4-2 (the other segments within the Bassett Creek watershed) is 61%, achieving the total phosphorus removal required by MIDS FTO No. 2 through the application of FTO No. 3, which allows for offsite mitigation (in segments E4-1B and E4-2) to meet the performance goal.

For segment E4-1B, because of the lack of space within the right-of-way, extensive contamination, and areas of high groundwater, the project is pursuing FTO No. 2, in accordance with the MIDS Design Flow Chart. As summarized in the Stormwater Management Plan for Segment E4-1B (October 11, 2016), the proposed stormwater management system in segment E4-1A meets MIDS FTO No. 2.

For segment E4-2, because of contamination limiting infiltration in the area, the project is pursuing FTO No. 2, in accordance with the MIDS Design Flow Chart. As summarized in the Stormwater Management Plan for Segment E4-2 (October 11, 2016), the proposed stormwater management system in segment E4-2 meets MIDS FTO No. 2.

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<i>Segment</i>	<i>Average Annual TSS Removal (%)</i>	<i>Average Annual TP Removal (%)</i>
E4-1A	61	59
E4-1B	88	62
E4-2	76	61
Combined Removal	77	61

Erosion and Sediment Control

Since the area of land disturbance (for linear projects) is greater than one acre, the proposed project must meet the BCWMC construction erosion and sediment control requirements. Proposed temporary erosion control features include: silt fence, sediment control logs, floating silt fence, rock construction entrances, erosion control blanket, and inlet protection.

Review Process

Section 3.1 (8) of the BCWMC Requirements document states that “application approvals expire two years from the date of approval.” Due to the revenue service currently projected to begin in 2021, the SWLRT requests that the BCWMC extend the approval through December 2021.

Recommendation

- (1) Approval
- (2) Extend approval expiration date through December 2021

Memorandum

To: Bassett Creek Watershed Management Commission (BCWMC)
From: Barr Engineering Co.
Subject: Item 5D. Consider Approval to Provide Financial Contributions for Stormwater Management at Agora Development, Plymouth
BCWMC December 15, 2016 Meeting Agenda
Date: December 9, 2016
Project: 23270051 2016 623

5D. Consider Approval to Provide Financial Contributions for Stormwater Management at Agora Development, Plymouth

Recommendations:

- i. Change the Four Seasons Mall Area Water Quality Project (2013 CIP NL-2) from the original design to the project presented here.
- ii. Conditional approval to provide funds from the BCWMC CIP budget as a financial contribution towards Alternative 4, which will remove an estimated 109 pounds of phosphorus above and beyond the BCWMC's requirements at the Agora development (old Four Seasons Mall site) in Plymouth.

Background and stormwater management overview

At their meeting in September 2013, the BCWMC conditionally approved 90% plans for the Four Seasons Area Water Quality Project (near Hwy 169 and Rockford Road in Plymouth – see attached location map) that included restoration of a channel upstream of the mall and creation of a stormwater pond. The project was never built due to residents' concerns with tree loss. The BCWMC CIP budget still includes approximately \$850,000 for that project. Since then, the city and BCWMC have been waiting for the mall area to redevelop.

At their meeting this August, the Commission received a presentation from Solution Blue on the stormwater management components of a redevelopment project (named Agora) on the Four Seasons Mall site. At the time, the Commission was asked to consider providing some funding (in the ballpark of \$500,000) toward stormwater management features that would go "above and beyond" pollutant removal requirements for the redevelopment. The following action was taken at the August meeting:
Commissioner Black moved that the Commission move forward with exploring a partnership with Rock Hill Management through an agreement with the City of Plymouth and that Commission staff continue to gather and assess additional information for further consideration including technical and legal issues.

Rock Hill Management and their consultants (Solution Blue and AES) have been working to refine the possible stormwater management features for the site. The following table summarizes three alternatives for the site, with further detail, tables, and diagrams further in this memo. The alternatives presented build off of each other, but the pollutant removal numbers are not additive due to additional BMPs providing stormwater treatment upstream of the proposed stormwater pond. The City of Plymouth may

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also bring information on additional BMP ideas to this meeting. The City did provide a letter regarding the developer's TIF (tax increment financing) request (attached in the meeting materials).

Summary Table: (Note: Alternatives build on each other, but pollutant removals are not additive)

Alternative	Description	Treated Area	TP Removal (lbs/yr)	Total Cost	30-year Annualized Cost Per Pound TP Removed
Alt 2 (meets requirements)	Stormwater pond (P10) @ southern end of site	Redevelopment site	14.88	\$502,500	\$1,846
Alt 3 (Alt 2 + additional BMPs)	P10 + permeable pavers, wetland walk, 2 iron enhanced sand filtration basins, 2 infiltration with peat storage	Redevelopment site + 6.5 acres impervious area north of Rockford Rd. + 4.38 acres impervious area	45.19 (30.31 lbs above required) (NOTE: Pollutant removals for Alt 2 and 3 are not additive)	\$1,173,860	\$1,485 (\$1,308/lb for pollutant removal above requirements)
Alt 4 (Alt 3 + wetland restoration)	All of Alt 3 + restoration of wetland on city-owned land south of P10	All of Alt 3 + 3.74 acres tributary to wetland	124.35 (109.47 lbs above required)	\$1,423,860	\$675 (\$515/lb for pollutant removal above requirements)
TOTAL AMOUNT ABOVE AND BEYOND REQUIREMENTS			109.47	\$921,360	\$515

As noted above, Alternative 4 provides 109.47 pounds of total phosphorus removal above and beyond the BCWMC's requirements, at an annual cost of \$515/pound. The previously-approved Four Seasons Mall Area Water Quality Project was to remove 105 pounds of total phosphorus at an annual cost of \$589/pound of total phosphorus removed (2016 dollars). Because the proposed Alternative 4 will provide at least as much treatment as the previously-approved project, staff recommends that the Commission consider contributing funds from the BCWMC CIP budget towards this alternative.

Proposed stormwater management practices

The following is a summary of the BMPs proposed for each alternative:

Alternative 1 is existing/pre-development conditions, as described in the developer's stormwater report. Because this alternative does not include proposed water quality treatment BMPs, while Alternatives 2-4 do include water quality treatment BMPs, no further information or discussion about Alternative 1 is provided.

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The developer of the site proposes three treatment alternatives for the site (Alternatives 2 – 4). See the attached figures, which show the BMP locations and flow paths of water through the site for each alternative.

Alternative 2 (meeting BCWMC requirements): This alternative includes construction of a stormwater pond (BMP P10 on the treatment train figure) to provide water quality treatment for the 17.07-acre redevelopment site, with 13 acres of impervious area. The treatment pond is designed to meet the MIDS requirements of the BCWMC's September 2015 *Requirements for Improvements and Development Proposals* for the redevelopment project. If the performance goal cannot be met due to site restrictions, the Requirements document requires that the applicant use the MIDS flexible treatment options approach, following the MIDS design sequence flow chart. Because of poor infiltrating soils on the site (clay), the Agora development is pursuing Flexible Treatment Option (FTO) Alternative Number 2, in accordance with the MIDS Design Flow Chart. FTO No. 2 includes achieving volume reduction to the maximum extent practical, removing 60 percent annual total phosphorus load, and considering relocation of project elements to address varying soil conditions and other constraints across the site. The stormwater pond will meet the MPCA Stormwater Manual criteria for a Design Level 3 pond (the pond design with the highest estimated water quality treatment) and will be constructed from a portion of the wetland at the southeastern corner of the site. The wetland work will require approvals from the Wetland Conservation Act LGU, and potentially from state and federal agencies. The pond will include sediment forebays and an iron-enhanced sand berm. Construction of the pond will require a modification of the flow path of the North Branch of Bassett Creek; this modification will require approvals from BCWMC and the Minnesota Department of Natural Resources (MDNR).

The developer is not requesting financial contributions for this alternative and the construction work is limited to the Agora site only.

Alternative 3 (Alternative 2, plus additional stormwater BMPs treating off-site area): This alternative will remove 30.31 pounds of total phosphorus above and beyond the BCWMC's required pollutant removal. This alternative includes treatment for:

- 1) The redevelopment area (17.07-acre site, with 12.3 acres of impervious area and 0.7 acres of permeable pavers)
- 2) An additional off-site area north of Rockford Road (6.5-acre area, 6.5 acres of impervious area). The captured volume is limited by the capacity of the proposed system; the remainder of the flow bypasses the site and flows into the North Branch of Bassett Creek, as it does under existing conditions.
- 3) Additional off-site area resulting from diverting low flows from the North Branch of Bassett Creek into the proposed stormwater pond (19.01 acres, 4.38 acres impervious area).

The proposed BMPs include the stormwater pond from Alternative 2, permeable pavers, a "wetland walk" treatment area with water quality storage and wetland plant harvesting, two iron-enhanced sand filtration basins, two filtration basins, and two infiltration basins with amended soil extending down to the

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underlying peat layer that provides additional storage/infiltration volume. Below is a description of the flow path through the proposed BMPs:

- Stormwater from north of Rockford Road, Lancaster Lane, surface drainage, and buildings 1, 2, and 3 rooftops enter basin P1 (iron-enhanced sand filtration basin). Surface drainage, overflow, and daintile from basin P1 drain to basin P2 (iron-enhanced sand filtration basin). Surface drainage plus overflow and daintile from basin P2 enter basin P3 (infiltration basin with peat storage). Surface drainage plus overflow and daintile from basin P3 enter basin P4 (infiltration basin with peat storage). Basins P3 and P4 include amended soils that allow infiltration of stormwater from the basin to the peat body. The peat body has about 65,000 cubic feet of anticipated storage. Overflow from this treatment train enters the sediment forebay of the pond (P10).
- Rooftop drainage from buildings 5 and 9 enters P7b (permeable pavement subsurface drainage/storage). This drains to another peat body with about 24,000 cubic feet of anticipated storage. Overflows from P7b will enter the storm sewer that enters the wetland walk (P7a). Rooftop drainage from buildings 4 and 10, plus additional surface drainage enter the wetland walk (P7a). The discharge from the wetland walk discharges to the sediment forebay of the pond (P10).
- Rooftop drainage from building 8 enters basin P8 (filtration basin), along with surface drainage. Basin P8 daintile and overflows discharge to the pond (P10). Surface drainage enters basin P9 (filtration basin). Daintile collection conveys basins P8 and P9, and building 7 rooftop drainage to the pond (P10).

The developer is requesting financial contributions from the BCWMC for this alternative due to additional stormwater treatment beyond the 60% total phosphorus removal required for the redevelopment site; the construction work is limited to the Agora site only.

Alternative 4 (Alternative 3, plus wetland restoration): This alternative removes 109.41 pounds of total phosphorus above and beyond the BCWMC's required pollutant removal. This alternative includes the treatment provided by Alternative 3 PLUS wetland restoration to improve nutrient removal efficiency of the existing wetland south of the Agora redevelopment. Treatment is provided for the redevelopment site, the additional off-site watershed area treated in Alternative 3, plus an additional 3.74 acres of watershed area tributary to the existing wetland that will be restored. The proposed wetland restoration design will reconfigure the preferential flow path that limits the total phosphorus removal efficiency of the existing wetland. The proposed design is a multi-cell system with a longer flow path, deeper wetland areas, and shallower wetland meadow areas that will increase the opportunity for sediment and phosphorus deposition and organic phosphorus uptake by plant roots and shoots.

The existing wetland is a part of the North Branch of Bassett Creek which is part of the BCWMC's trunk system. This means the project will need to meet the BCWMC's floodplain requirements for the creek, which includes this wetland. Therefore, the project will have to demonstrate that there is no rise in the

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creek elevation and no loss in floodplain storage. State and federal approvals may be needed for the wetland restoration.

The proposed wetland restoration is located on City of Plymouth property. This alternative involves the developer, in cooperation the City of Plymouth, requesting financial contributions from the BCWMC for additional stormwater treatment provided on the redevelopment site and on City of Plymouth property beyond the 60% total phosphorus removal required for the redevelopment site.

Estimated pollutant removals and costs

The project analysis used a combination of the MIDS calculator and the BCWMC's water quality (P8) model to estimate the pollutant removal provided by each BMP for each alternative. Following is a summary of the estimated pollutant removals provided by each alternative:

Alternative 2 (meeting BCWMC requirements):

BMP	TP Load (lbs/yr)	TP Removal (lbs/yr)	TP Removal (%)
P10 - Stormwater Pond	24.87	14.88	60

Alternative 3 (Alternative 2, plus additional stormwater BMPs treating off-site area):

BMP	TP Load (lbs/yr)	TP Removal (lbs/yr)	TP Removal (%)
P1 – Iron Enhanced Sand Filter Basin	18.74	9.84	53%
P2 – Iron Enhanced Sand Filter Basin	9.39	4.80	51%
P3 – Infiltration Basin with Peat Storage	5.84	5.79	99%
P4 – Infiltration Basin with Peat Storage	2.05	2.05	100%
P7a – Wetland Walk Ponding	3.87	1.16	30%
P7a – Wetland Walk Plant Uptake	0	2.6	NA (no direct runoff to this BMP, load represented in other BMPs)
P7b – Permeable Pavers	5.84	5.84	100%
P8 – Filtration Basin	0.27	0.14	52%
P9 – Filtration Basin	0.78	0.35	45%
P10 – Stormwater Pond (Alternative 2)	21.72	12.62 ¹	58%
Total	68.50	45.19	66%

¹ Lower removal (12.62 vs. 14.88 lbs) due to the additional BMPs upstream of the pond, which treat stormwater runoff.

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Alternative 4 (Alternative 3, plus wetland restoration):

BMP	TP Load (lbs/yr)	TP Removal (lbs/yr)	TP Removal (%)
Proposed Wetland Restoration			
<i>Current Wetland</i>	230.44	13.02	6%
<i>Proposed Wetland Restoration</i>	230.44	92.18	40%
Subtotal: Additional TP Removal Provided by Proposed Wetland Restoration	230.44	79.16	34%
Alternative 3 BMPs	68.50	45.19	66%
Total	298.94	124.35	42%

Summary of total phosphorus removal:

Scenario	TP Removal (lbs/yr)	TP Removal for Potential BCWMC Financial Contribution (lbs/yr)
Alternative 2 (meeting BCWMC requirements)	14.88	0
Alternative 3 (Alternative 2, plus additional stormwater BMPs treating off-site area)	45.19	30.31
Alternative 4 (Alternative 3, plus wetland restoration)	124.35	109.47

Following is a summary of the construction and maintenance costs for each alternative and the associated annualized cost per pound of phosphorus removed.

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BMP	TP Removal (lbs/yr)	Construction Cost (\$)	Annual Cost (\$/lb TP Removed/yr)
Alternative 2 (meeting BCWMC requirements)			
P10 – Stormwater Pond	14.88	\$502,500	\$1,846
Alternative 2 Total for Potential BCWMC Financial Contribution (excludes Stormwater Pond costs)	0	\$0	\$0
Alternative 3 (Alternative 2, plus additional stormwater BMPs treating off-site area)			
P1 – Iron Enhanced Sand Filter Basin	9.84	\$45,000	\$1,217
P2 – Iron Enhanced Sand Filter Basin	4.80	\$31,700	
P3 – Infiltration Basin with Peat Storage	5.79	\$50,000	
P4 – Infiltration Basin with Peat Storage	2.05	\$38,900	
P7a – Wetland Walk Ponding	1.16	\$271,000	
P7a – Wetland Walk Plant Uptake	2.6		
P7b – Permeable Pavers	5.84	\$201,760	
P8 – Filtration Basin	0.14	\$20,000	
P9 – Filtration Basin	0.35	\$13,000	
Alternative 2	12.62 ¹	\$502,500	\$2,176
Subtotal	45.19	\$1,173,860	\$1,485
Alternative 3 Total for Potential BCWMC Financial Contribution (excludes Stormwater Pond treatment and costs)	30.31 ²	\$671,360	\$1,308
Alternative 4 (Alternative 3, plus wetland restoration)			
Wetland Restoration	79.16	\$200,000	\$212
Alternative 3	45.19	\$1,173,860	\$1,485
Subtotal	124.35	\$1,373,860	\$675
Alternative 4 Total for Potential BCWMC Financial Contribution (excludes Stormwater Pond treatment and costs)	109.47 ²	\$921,360	\$515

¹ Lower removal (12.62 vs. 14.88 lbs) due to the additional BMPs upstream of the pond, which treat stormwater runoff.

² The total for potential BCWMC contribution is the subtotal less the amount of treatment required by BCWMC (14.88 lbs)

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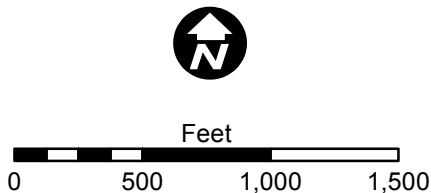
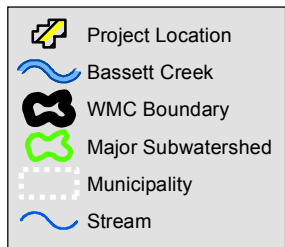
Recommendations

- 1) Change the Four Seasons Mall Area Water Quality Project (2013 CIP NL-2) from the original design to the project presented here.
- 2) Conditional approval for the BCWMC to provide funds from the BCWMC CIP budget as a financial up to the nearly \$850,000 available in the CIP budget as a financial contribution towards Alternative 4, which will provide stormwater treatment above and beyond the BCWMC's requirements at the Agora development (old Four Seasons Mall site) in Plymouth, based on the following conditions:
 - a) Prior to the BCWMC formalizing a financial commitment, the developer must provide final drawings (i.e. final construction plans for the entire project including the wetland restoration) and supporting information (final pollutant removals and other information to confirm pollutant removal estimates) to the BCWMC Engineer for review and Commission approval. BCWMC's final financial commitment will be based on the final pollutant removal estimates.
 - b) The BCWMC will enter into an agreement with the City of Plymouth for construction and funding of the project. Concurrently, the developer will need to enter into an agreement with the City of Plymouth regarding construction of the project and allowing construction of the wetland restoration portion of the project.
 - c) The BCWMC must obtain BWSR approval to substitute this new CIP project for the original Four Seasons Mall Area Water Quality Project.
 - d) The developer must obtain all required local, state, and federal permits for the project.
 - e) The developer must submit the application, fee, drawings and supporting information for the Agora redevelopment site to the BCWMC Engineer for separate review as part of the BCWMC project review program.

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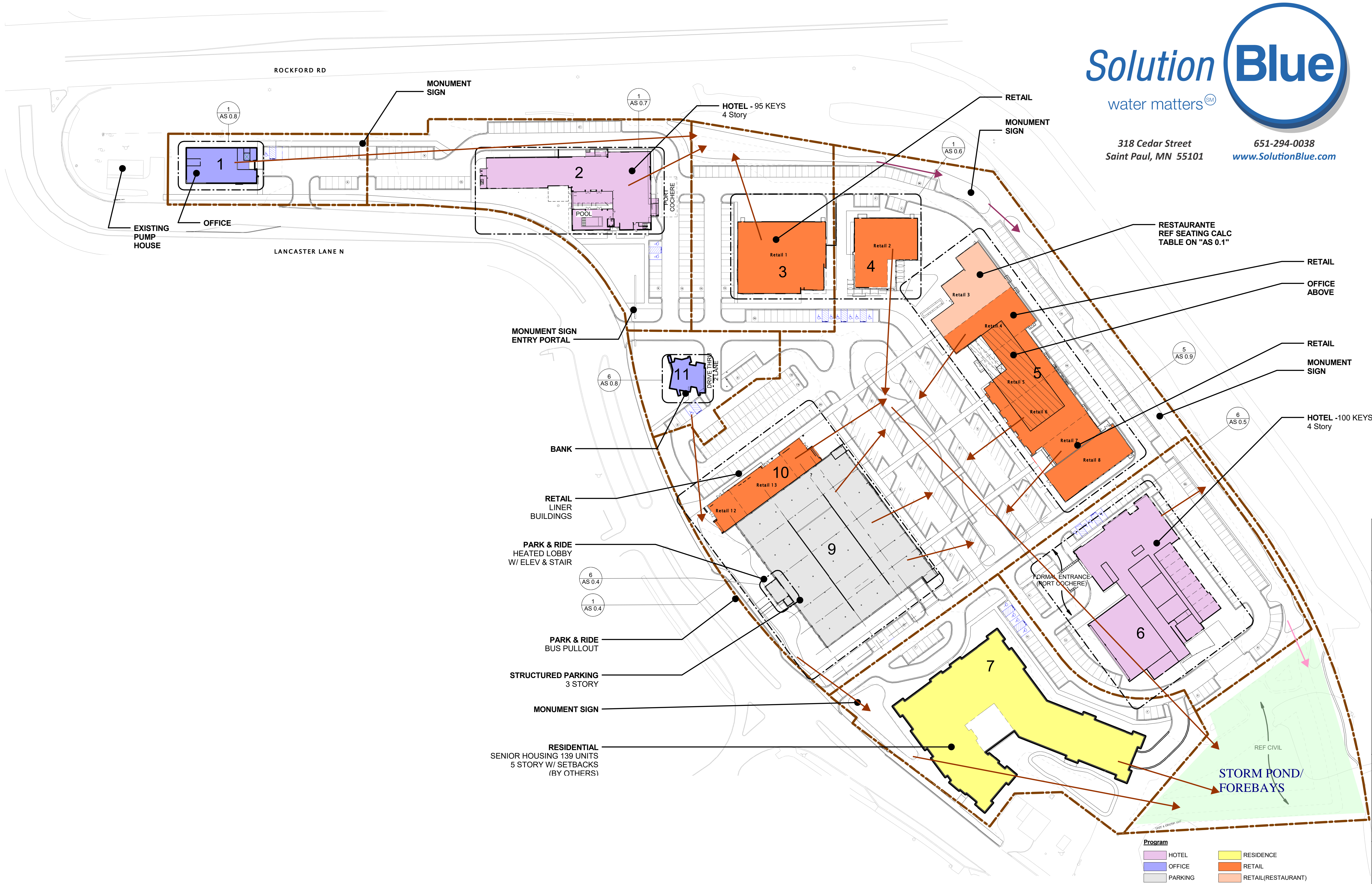


Imagery Source: Aerial Express (2009)



LOCATION MAP
Agora Development
Rockford Road and Highway 169
Plymouth, MN

Alternative 2 - On-site Only



Solution Blue
water mattersSM

318 Cedar Street
Saint Paul, MN 55101

651-294-0038
www.SolutionBlue.com

AGORA
PLYMOUTH MN



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I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly licensed architect under the laws of the State of Minnesota.

Gretchen M. Camp
Signature
Gretchen M. Camp
Typed or Printed Name
46433 exp. 06/30/2018
License # Date

NOT FOR
CONSTRUCTION

PUD SUBMITTAL
12/9/2016

ORIGINAL ISSUE: 09/13/2016

REVISIONS

No.	Description	Date
A	PUD SUBMISSION	8/15/2016
B	PUD RE-SUBMISSION	9/13/2016
C	PUD RE-SUBMISSION	10/20/2016
D	PUD RE-SUBMISSION	12/9/2016

216516
PROJECT NUMBER

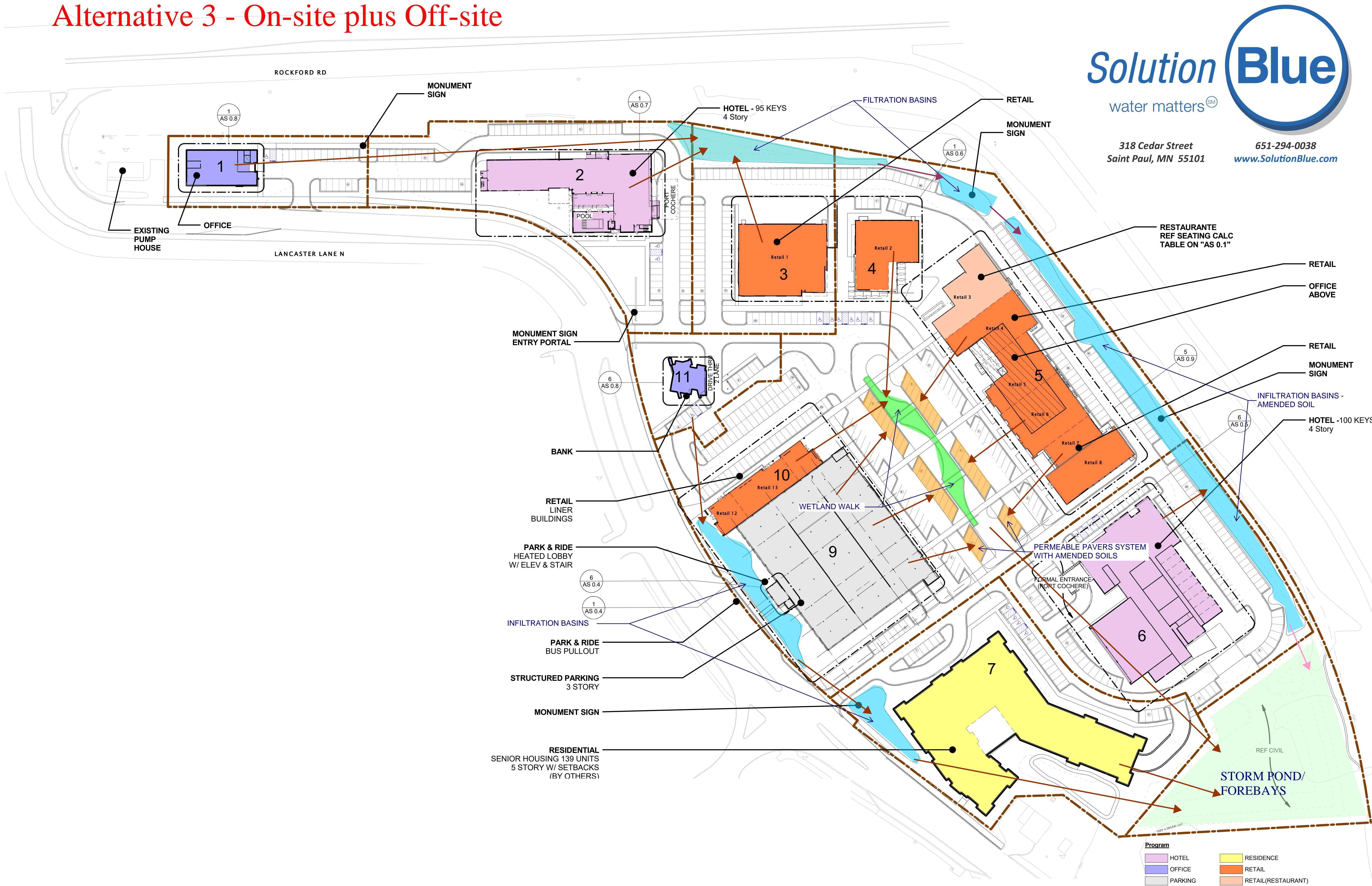
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KEY PLAN

AGORA

SITE PLAN
AS 0.1

Alternative 3 - On-site plus Off-site



Solution Blue
water mattersSM

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I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly licensed architect under the laws of the State of Minnesota.

Gretchen M. Camp
Signature
Gretchen M. Camp
Typed or Printed Name
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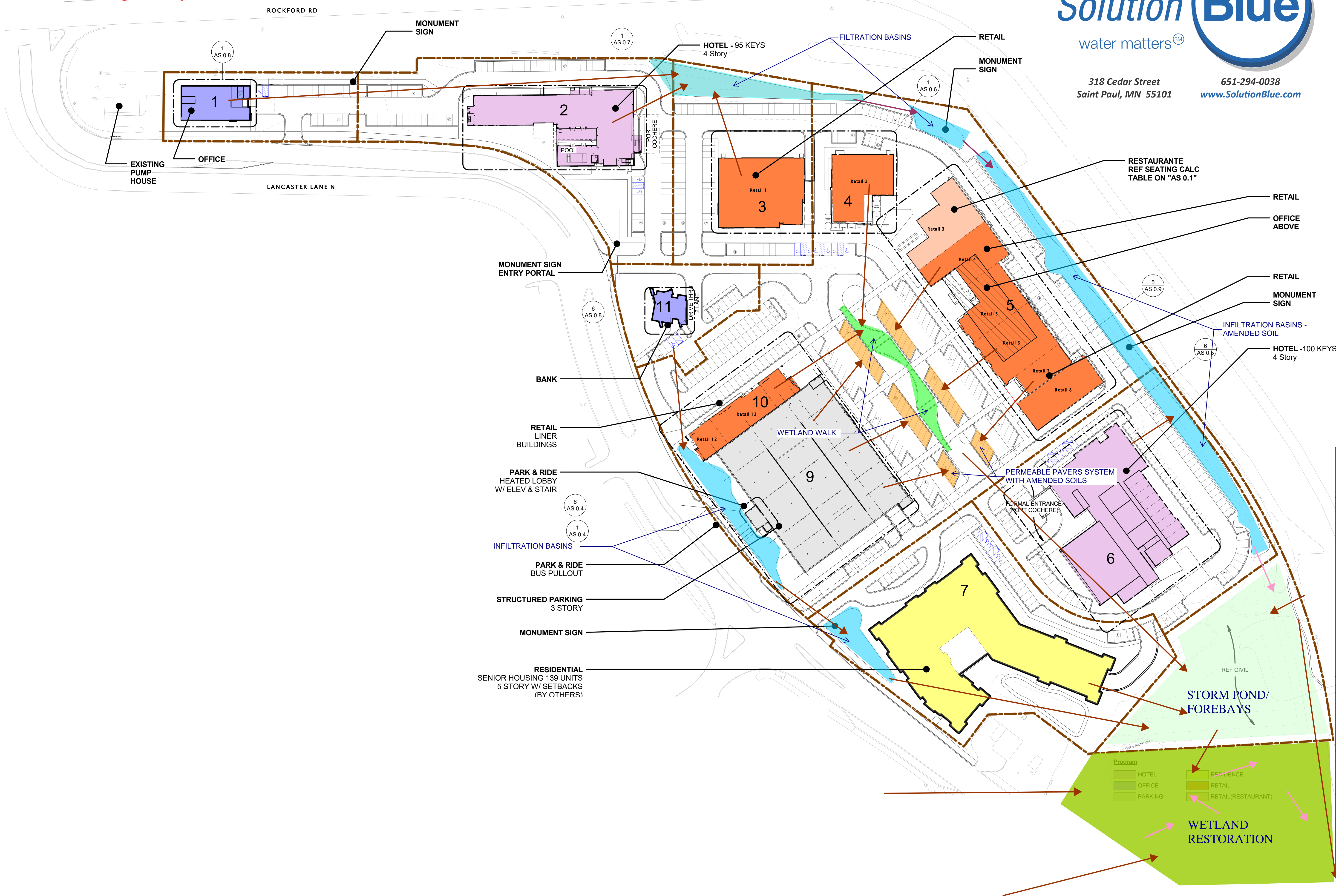
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KEY PLAN

AGORA

SITE PLAN
AS 0.1

Alternative 4 - On-site plus Off-site including City Wetland Restore



Solution Blue
water mattersSM

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I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly licensed architect under the laws of the State of Minnesota.

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216516
PROJECT NUMBER

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KEY PLAN

AGORA

SITE PLAN
AS 0.1



Bassett Creek Watershed Management Commission

MEMO

To: BCWMC Commissioners
From: Laura Jester, Administrator
Date: December 7, 2016

RE: Item 5E. Consider Approval to Submit Aquatic Invasive Species (AIS) Prevention Grant Application to Hennepin County

On November 28, 2016 Hennepin County issued a request for proposals (RFP) for their Aquatic Invasive Species (AIS) Prevention Grants program. Proposals are due Friday, January 20, 2017 (the day after the January Commission meeting). The attached flyer provides more information about the grant and eligible projects.

The BCWMC Aquatic Plant Management/Aquatic Invasive Species Committee has been working to identify an appropriate role for the Commission in these issues. One role identified by the committee is to take the lead in AIS studies that include 1) pathways analysis and vulnerability assessment; 2) AIS inventory; and 3) AIS prevention and/or management plan development. The committee equated this work to a TMDL, but for AIS. This type of work aligns well with the eligible county grant activities.

RECOMMENDATION: The APM/AIS Committee and BCWMC staff recommend that the Commission apply for an AIS prevention grant. Grant application development will cost approximately \$1,000. The final grant application would be brought to the January Commission meeting before being submitted to the County.

The grant application would include:

- \$25,000 - \$30,000 grant request
- Study of Medicine Lake, Parkers Lake, Sweeney Lake
- Study to be performed by the Commission Engineer with grant/project management by the Commission Administrator

Study tasks:

1. Inventory and monitoring – Gather and summarize available AIS, water quality, and physical information from each lake, determine gaps, and collect additional information to fill in any gaps. The following monitoring data may need to be collected:
 - Water quality data (for suitability analyses): dissolved oxygen, specific conductance, hardness, alkalinity, sodium, calcium, magnesium, calcium carbonate, pH, temperature, Secchi disc, chlorophyll a, and phosphorus. Many of these parameters are not collected during routine lake monitoring.

- Substrate information: muck, sand, submerged, gravel, rubble, boulder
2. Suitability Analysis – Determine the suitability of each lake to harbor each AIS species. Parameters for the suitability analysis have been determined for these eight AIS: zebra mussel, faucet snail, Chinese and banded mystery snail, rusty crayfish, starry stonewort, spiny waterflea, hydrilla, and flowering rush. Additional research would be needed to determine parameters for suitability analysis if additional AIS species are included in the analysis.
 3. Pathways Analysis – Determine the potential pathways for introduction of the AIS species to the lakes and estimate the risk of the various potential pathway, i.e., low, moderate, high.
 4. Vulnerability Analysis – Use the suitability assessment and the pathways analysis results to determine the vulnerability of each lake to each AIS species evaluated.
 5. Prevention/Management Plan – The Management Plan will provide prevention or management options/recommendations to manage the risk of AIS introduction. The results of the pathways analysis/vulnerability analysis will determine the focus of the management effort to prevent AIS introduction to BCWMC water bodies.

Aquatic Invasive Species Prevention Grants

Hennepin County has up to \$300,000 of grant funds available to help local units of government and organizations implement projects that prevent the spread of aquatic invasive species (AIS).

Eligible recipients	<ul style="list-style-type: none"> Local government agencies, such as cities, watershed organizations and park districts Nonprofit organizations Public companies and institutions Private, for-profit companies
Examples of projects	<p>Eligible prevention activities:</p> <ul style="list-style-type: none"> Assess the risk of AIS introduction and the resources available to respond. Increase available resources and leverage partnerships. Broaden knowledge and participation in early detection and rapid response. Prevent the spread of AIS. Address specific pathways of introduction. Increase enforcement resources. Increase public awareness and participation in prevention. Promote research.
Eligible expenses	Consulting fees, staff time, materials, supplies, labor, printing and promotions.
Application timeline	Applications due January 20, 2017. Depending on the number and quality of proposals submitted, this may be the only time the county solicits for proposals.
Amount of funding available	<ul style="list-style-type: none"> Typical projects awards range from \$15,000 to \$25,000. Maximum amount awarded per grant is \$50,000.
Matching funds	No match required.
Project timeline	<ul style="list-style-type: none"> 12 to 24 months to complete project. Project start times cannot occur before contract approval by Hennepin County.
Reporting requirements	<ul style="list-style-type: none"> Each project must enter into a formal project contract/ agreement with the county addressing conditions of the award. Work plan and budget. Project design and specifications (if applicable) Documentation regarding expenses , such as time sheets, invoices and receipts. Interim and final reports as identified in the grant agreement.



Contact us today

Our staff is available to answer questions and offer resources:

- Visit hennepin.us/aisprevention
- Contact Tony Brough at 612.348.4378 or Tony.Brough@hennepin.us



Memorandum

To: Bassett Creek Watershed Management Commission
From: Barr Engineering Company
Subject: Item 5F. Receive Information on Application of Atlas 14 Flood Levels to Blue Line LRT Project
BCWMC December 15, 2016 Meeting Agenda
Date: December 8, 2016

5F. Receive Information on Application of Atlas 14 Flood Levels to Blue Line LRT Project

Recommendations

- Information only

Background

At their January 2017 meeting, the Commission will hear the results of the BCWMC's watershed-wide XP-SWMM model, which will include changes to flood levels resulting from Atlas 14. The Commission Engineer has been in discussions with Blue Line LRT staff regarding appropriate flood elevations along the route. Preliminary (uncalibrated) Atlas 14 XP-SWMM model results indicate Bassett Creek flood levels are ½ foot higher than current (TP 40) flood levels along the portion of the route just north of Highway 55. The Blue Line LRT plan will come before the Commission later in the summer of 2017, after the new Atlas 14 flood levels are likely adopted by the Commission. Therefore, the Blue Line LRT project will use the BCWMC's preliminary Atlas 14 flood elevations in their project design. Early indications are that although there should not be issues with floodplain fill/mitigation due to the higher flood elevations, there are a couple of locations (pedestrian bridge at Plymouth Avenue and bridge over the old channel) where the Blue Line LRT may not be able to meet the Commission requirements regarding elevation of crossings above the flood elevation. As a result, there may be variance requests at these locations when the Blue Line LRT plans are submitted to the BCWMC for formal review.

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Item 5G.
BCWMC 12-15-16

Bassett Creek Watershed Management Commission

MEMO

To: BCWMC Commissioners
From: Laura Jester, Administrator
Date: December 7, 2016

RE: Item 5G. BCWMC Administrative Services Committee Recommendations

At their meeting on December 5th, the Administrative Services Committee discussed several policy-related items. The committee forwards the following recommendations to the Commission.

Item 5Gi – Policy Manual Updates

At your meeting in November, the Commission approved policies 2.1 – 2.11 (except 2.6). The draft BCWMC Policy document included with meeting materials includes the remaining policies 2.6 and 3.1 – 3.6 with the committee recommended changes tracked.

NOTE: A few policies are recommended to be struck from the document entirely due to their inclusion – in much more detail – in the 2015 Watershed Management Plan. These include former policies on external costs CIP projects; administration of water quality management standards; public involvement; and review of developments, improvements, and agency permits.

NOTE: The former language in policy 3.5 regarding the channel maintenance fund was replaced with policy language approved by the Commission in December 2015.

NOTE: Policy 3.2.2 Subdivision 11 includes policy language regarding cost sharing of CIP projects with cities who wish to take some pollutant removal credit. This policy was discussed at the November Commission meeting, was subsequently revised by Commissioner Welch, and was reviewed by the TAC at their 11/28 meeting. The TAC recommends the Commission NOT adopt such a policy because they believe it's unlikely for this scenario to happen again. The Administrative Services Committee and I recommend the policy be adopted to provide guidance for future similar situations, if they arise.

NOTE: Policy 3.6 is a new policy that reflects action taken by the Commission at their October meeting regarding when and how to request proposals for projects (RFP process).

The Committee recommends approval of these policies as presented.

Item 5Gii – Resolution Approving Records Retention Schedule

Appendix B of the policy manual is a comprehensive records retention schedule (attached with meeting materials). This schedule was reviewed and revised by the Commission's legal counsel and additional input was provided by the Administrative Services Committee. The schedule must be formally approved by resolution (attached).

The Committee recommends approval of the Records Retention Schedule and the resolution.

Item 5Giii – Report on Staff Performance Evaluations

Committee Chair Mueller compiled the results of the staff evaluations and presented them at the Committee meeting. A total of 16 Commissioners and TAC members completed evaluations. They contained good feedback to staff on areas where expectations are being exceeded and areas where improvements can be made. Evaluation results are considered private data and cannot be included in the meeting packet, but overall results indicate that both Karen and I are performing between “meets” and “exceeds” expectations, depending on the task. Commissioner Mueller will provide more information at the meeting.

Item 5Giv – Solicit Letters of Interest Proposals for Technical and Legal Services

Per State Statue 103B.227, the Commission “shall, at least every two years, solicit interest proposals for legal, professional, or technical consultant services before retaining the services of an attorney or consultant or extending an annual services agreement.” The Commission last solicited proposals in December 2014.

The Committee recommends directing staff to submit for official publication a notice soliciting “letters of interest proposals” (rather than full proposals) for legal and technical consulting services.

Item 5Gv – Amendments to Administrator Contract

The Committee recommends an amendment to the Administrators contract to align with current job duties and the 2017 budget. The 2017 budget includes an increase in the maximum monthly Administrator “salary” from \$5,150 to \$5,600 in order to allow for a few extra work hours per month and a slight increase in the Administrator’s hourly rate from \$67 to \$70/hour.

Bassett Creek Watershed Management Commission



POLICY MANUAL

2016 DRAFT



2.6 Records and Data Retention

Policy: The Commission will establish and maintain an active, continuing program for the economical and efficient management of its records as required by Minnesota Statutes 138.17, Subdivision 7.

Description: In furtherance of this policy, the Commission has adopted the attached Record Retention Schedule (Appendix B). The Record Retention Schedule provides the Commission's plan for managing its records by establishing minimum retention periods for the records based on their administrative, fiscal, legal and historic value. It lists categories of records that are maintained by the Commission, identifies how long the Commission will retain them, whether or not they have archival value, their classification under the Minnesota Government Data Practices Act, Minnesota Statutes Chapter 13 and how they are being stored.

Applicable funding: Administrator and/or Admin Services budgets

Adopted:

Citation: Minnesota Statutes 138.17, and Minnesota Statutes Chapter 13

Strategies to implement policy:

See Appendix B



3 EXTERNAL/OPERATIONAL POLICIES

3.1 Project Review Fees

Policy: The Commission will charge a fee for review of all project plans and designs triggering the Commission's Requirements for Improvements and Development Proposals, including plans and designs submitted by member cities.

Description: Review fees are charged to the applicants for review to recover costs of the program. Charges are set on the basis of the size of the project, type, and also on wetland related projects.

Applicable funding: Project review fees

Adopted:

Citation: See current fee schedule.

Strategies to implement policy: See current fee schedule.

3.2 Funding

3.2.1 General Administrative Costs

Policy: Commission administration and programmatic costs will be funded through charges to member cities based on area and taxable value.

Description: Member cities are allocated their share of administrative costs based on a formula in the Joint Powers Agreement.

Applicable funding: Annual city funds

Adopted: July 30, 2002, Amended December 18, 2014

Citation: Joint Powers Agreement, Section VIII, Subd. 3.

Strategies to implement policy:

1. Each year the Commission adopts a budget in accordance with the joint powers agreement between the member cities. The budget is adopted before July 1, and cities may comment on or object to the budget before August 1. The Commission adopts a budget after adjustments as necessary at the August meeting.
2. The general administrative costs are assessed among the member cities on the basis of a formula set in the joint powers agreement, which is 50% based on the net tax capacity of property within the watershed and 50% on the basis of land area within the boundaries of each city.
3. Invoices to the Commission will be reviewed by the BCWMC Administrator who will provide a written recommendation to pay or not to pay.
4. The Commission will keep approximately 50% of its annual operating expenses as an Administrative Fund balance for the following purposes:

1. To provide appropriate cash flow to pay for Commission projects and programs
2. To fund projects or programs that arise unexpectedly

3.2.2 Capital Improvement Program Funding

Policy: The County will levy an ad valorem watershed-wide tax for capital projects of greater than \$25,000.

Description: This process provides transparent oversight of Board decisions by elected representatives of member cities and Hennepin County. The BCWMC has been implementing its capital improvement program (CIP) since 2004. As called for in the BCWMC's approved watershed management plan, the BCWMC funds its water quality improvement projects using an ad valorem tax levy administered by Hennepin County (MN Statutes 103B.251). Although the BCWMC provides the funding, the member cities are responsible for constructing the CIP projects.

Applicable funding: Hennepin County ad valorem tax levy throughout the Bassett Creek watershed.

Adopted: 2004, Amended December 18, 2014

Citation: Joint Powers Agreement, Section VII, Method of Proceeding, Subd. 5 and MN Statute 103B.251.

Strategies to Implement Policy:

1. The Commission will strive to levy amounts that are relatively stable from year to year.
2. ~~Each year in December, the BCWMC member cities are contacted and asked if there are any recommended changes to the BCWMC CIP.~~
3. In addition to its 10-year CIP as outlined in its Watershed Management Plan, the BCWMC maintains a "working version" of its CIP that covers a 5-year period. Early in the year, the BCWMC reviews its working CIP with recommendations from the TAC to consider whether new projects should be added to the CIP or whether project implementation dates and funding sources should be changed, as necessitated by changing priorities, funding availability, partnering opportunities, or other factors.
4. The BCWMC and TAC will consider the criteria for eligible CIP projects identified the Watershed Management Plan (Policy 110).
5. ~~In January of every year, the BCWMC's Technical Advisory Committee (made up of city technical staff) reviews the projects in the BCWMC CIP and discusses any recommendations received from the member cities as a result of the December solicitation. The TAC makes a recommendation to the Commission regarding the CIP.~~
6. ~~Also in January, the Commission reviews and takes action the TAC's CIP recommendation.~~

~~7.5. After ordering the project, the BCWMC certifies to Hennepin County the tax levy that is needed for the following year.~~

~~8.6. The procedures set forth in the joint powers agreement are similar to those followed by cities in the case of capital projects paid for by special assessments under Minnesota Statutes, Chapter 429. As in the case of 429 improvement projects, the process begins with the preparation of a feasibility report on the proposed project.~~

~~9.7. Following receipt of the feasibility report, the Commission would hold a hearing on the proposed project, giving at least 45 days notice to the clerk of each member city.~~

~~8. Following the hearing, the Commission could order the project by a 2/3 vote of its members. That order would designate the cities responsible to construct the project, direct the preparation of plans and specifications, and specify the percentage of project costs that are to be paid by each member certifies to Hennepin County the tax levy that is needed for the following year to implement the upcoming CIP project.~~

~~9. The Commission will enter an agreement with the responsible city to design and construct the project.~~

~~10. The Commission may apply for grant funding for the implementation of CIP projects.~~

~~11. Cities may contribute to the costs of CIP projects in order to expand the scope of the CIP project and/or for the ability to take partial credit for pollutant removals achieved by the CIP project with the following guidance:~~

- ~~a) If cities know that they plan to request regulatory credit from a particular future CIP project, that information should be presented during the development of the 5-year CIP list.~~
- ~~b) The city should demonstrate an explicit reason and need for the request to take pollutant removal credit such as plans for a future project or development in the same area.~~
- ~~c) The city should demonstrate that other mechanisms (including innovative and emerging technologies) for stormwater management in the area are not possible, are considerably less practical, or are considerably more costly than collaborating on the CIP project.~~
- ~~d) The city should contribute to the total cost of the project in at least the same ratio as the city's stormwater management needs to the total stormwater management provided by the CIP project, and the cooperative agreement entered into for the project must identify the amount of stormwater management capacity for regulatory credit the city may use for the design and construction of the project.~~
- ~~e) The city project for which pollutant removal credit is being sought must be located within the same BCWMC subwatershed as the CIP project.~~

~~10-12. Capital Improvement Program projects will be constructed by the city assigned responsibility for the project. Eligible project expenses incurred by the city will be reimbursed by the Commission after submittal of appropriate documentation. Project costs eligible for reimbursement are listed in Table 5-1 of the Watershed Management Plan.~~

~~10. The Commission may use one of several means to determine the amount to be paid by each member city:~~

- ~~a. First, the funding may be provided on the basis of a negotiated settlement among member cities.~~
- ~~b. Second, the cost may be provided by member cities on the same basis as the administrative formula.~~
- ~~c. Third, the Commission may modify the “50/50” formula by a 2/3 vote if it determines that any member community receives a direct benefit from the capital improvement that can be defined as lateral as well as a trunk benefit (which our legal counsel assumes would generally be a concept applied to water quantity rather than water quality projects), or if the Commission determines that the project provides direct benefit to one or more cities that is so disproportionate as to require in a sense of fairness a modification to the 50/50 formula. Any city aggrieved by the determination of the cost allocation may appeal the decision and have it submitted to arbitration.~~

~~11. Following the issuance of the order for the improvement, each city will be given at least 90 days to determine the method it will use to raise its share of the project cost. After 90 days has elapsed, or notice has been received, by the Commission from each city that it has made such a determination, the Commission may order the advertisement for bids for the project.~~

~~The project will be constructed by the city assigned responsibility for the project. Other cities will pay, or contract for the payment of, its share of the cost. Payment is to be made by member cities within 30 days of statements from the engineer certifying that the work has been done.~~

3.3 Administrative Expense Charges to Capital Improvement Projects

Policy: The Commission will recover administrative costs not to exceed a 2.5% margin of the cost for CIP projects.

Description: This policy sets in place the method to compensate the Commission for administrative expenses associated with CIP projects.

Applicable funding: Not applicable

Adopted: August 18, 2005, Amended December 18, 2014

Strategies to Implement Policies:

1. 2.5% is included in the CIP project levy to reimburse the Commission for administrative expenses.
2. Up to 2.5% of the total project cost is transferred from the CIP account to the Administrative

3.4 Capital Improvement Program Closed Project Account Policy

Policy: Funds remaining in the CIP construction account from completed projects may be used to reduce future tax levies for future CIP projects.

Description: The Commission established the CIP Closed Project Account (the “Account”). This Account will receive remaining funds from completed project accounts.

Applicable funding: CIP Closed Project Account

Adopted: October 20, 2005, Amended March 19, 2009, Amended December 18, 2014

Citation: Policy statement by Commission

Strategies to Implement Policy:

1. Upon completion of CIP projects funded in whole or in part by a County tax levy and after reimbursement of Commission expenses and administrative charges and final payment to the City with responsibility for construction of the project, the construction account for that project will be closed and remaining funds will be transferred to the Closed Project Account.
2. As a general guiding principle, the Account will be used for expenses incurred for other projects in the Commission’s CIP that are proposed to be funded with a County tax levy. Such expenses include:
 - a. The administrative and construction costs of CIP projects. Monies from the Account may be used to reduce or eliminate a tax levy for capital projects in the CIP by transferring monies to the construction accounts for those projects.
 - b. Reimbursement to the Commission’s General Fund of expenses or administrative fees incurred in connection with a project if the tax settlement for that project is not sufficient to cover such expenses.
 - c. Reimbursement to cities that construct projects for administrative or construction costs if tax settlements received from the County are not sufficient to cover such costs. These costs might include cost overruns on projects, change orders, corrective follow-up work or repairs, or other unforeseen project costs.
 - d. Prepayment of project costs to the Commission or to cities for project costs that are incurred before receipt of tax settlement from the County for that project.
 - e. Partial funding of TMDL study costs if the Commission has sufficient information to determine with reasonable assurance that the TMDL study will identify, plan, design, or redesign capital projects to be funded with a County tax levy.
3. The Commission does not intend to accumulate unreasonable balances in the Account. Because the Account could be used to fund projects in advance of receipt of tax settlement from the County, and because a number of larger projects in the CIP have total costs, or annual project costs, of approximately \$250,000, the Commission finds that an accumulation of funds between \$250,000 and \$500,000 is reasonable. Money will not be accumulated to an amount in excess of \$500,000 unless a specific use for such funds has been identified. The Account balances may be kept within this amount by expending funds for any of the purposes identified in this policy.

4. Each year the Commission will consider the status of the Account prior to certification to Hennepin County of requests for tax levies for capital projects.
5. If project costs exceed projections, cities responsible for construction may request additional funds.

3 Creek and Streambank Maintenance, Repair and Channel Sediment Removal Fund (Channel Maintenance Fund)

Policy: The BCWMC will maintain a Channel Maintenance Fund through its annual assessment to help finance minor stream maintenance, repair, stabilization, restoration, and restoration project and/or portions of larger stream restoration projects. (2015 BCWMC Watershed Plan Policy 57)

Policy: The Channel Maintenance Fund may also be used to finance the BCWMC's share of maintenance projects that have a regional benefit, or to partially fund smaller, localized projects that cities wish to undertake. (2015 BCWMC Watershed Plan Policy 58)

Policy: The member cities are responsible for funding maintenance and repairs that are primarily aesthetic improvements. (2015 BCWMC Watershed Plan Policy 62)

Description: The BCWMC established the Creek and Streambank Maintenance, Repair, and Sediment Removal Fund (Channel Maintenance Fund) through its annual assessment to cities in 2004. This fund is used to finance minor stream maintenance, repair, restoration, or sediment removal projects or to help fund portions of larger projects. The BCWMC established this policy and fund to realize benefits including reduced potential for flooding, water quality improvement, and mitigating water quality impairments along the BCWMC Trunk System. Member cities contribute through the annual assessment.

Applicable funding: Streambank Maintenance, Repair, and Sediment Removal Fund

Adopted: January 2004, amended December 2015

Citation: 2015 BCWMC Watershed Management Plan; TAC memos 11/13/03 & 11/5/15

Strategies to Implement Policy:

- 1.** Funds will be used for projects only along the BCWMC Trunk System as identified in the 2015 Watershed Management Plan, Table 2-9 and Figures 2.14 and 2.15.
- 2.** Funds may be used to support creek bank maintenance projects that have regional benefit, or to partially fund relatively low-cost projects that cities wish to undertake.
- 3.** Funds may be used for maintenance and repairs needed to restore and maintain designed flow rate. The designed flow rate is the flow for the regulatory flood levels used to set the Bassett Creek Flood Profiles Table 2.9 of the 2015 BCWMC Watershed Management Plan.
- 4.** Funds may be used on a portion of a project that provides watershed benefits, including reduced potential for flooding, mitigation of water quality impairment, or minimizing the potential for water quality impairment.
- 5.** Funds may be used to repair a previously constructed BCWMC Capital Improvement Project, but, except as noted in item 3 above, may not be used for regular and on-going maintenance of such projects including vegetation management.

6. Funds may be used for localized and permitted sediment removal projects along the BCWMC Trunk System.
7. The portion of the fund each member city is eligible to receive is based on the percentage of the BCWMC Trunk System that is located in each city.

<u>City</u>	<u>Percent of Trunk System</u>
<u>Minneapolis</u>	<u>8.23</u>
<u>Golden Valley</u>	<u>48.99</u>
<u>Plymouth</u>	<u>26.42</u>
<u>New Hope</u>	<u>7.31</u>
<u>Crystal</u>	<u>9.05</u>
<u>Total</u>	<u>100</u>

8. Funds may be used to pay for the project design, development of bid documents, and construction of the project.
9. The city will enter into an agreement with the BCWMC for use of the funds (Attachment 1).
10. Funds will be dispersed by the BCWMC after an approved reimbursement request and appropriate documentation from the city.
11. Cities may use the funds as a “cost share” with private landowners at the amount/percentage the city deems appropriate, or can use the funds to finance entire projects.
12. A cost share amount from the city will not be required by the BCWMC (although funds may not be adequate to finance entire projects).
13. The balance of unallocated accumulated funds for each city will be reviewed by the Commission once every three years to ensure that total funding accumulated is not unreasonably high.

Policy: ~~The BCWMC will contribute to the cost of maintain and repair of the banks and bed of and the removal of sediment from the creek.~~

Description: ~~The BCWMC has established and maintains a Creek and Streambank Trunk System Maintenance, Repair, and Sediment Removal Fund through an annual assessment. This fund will be used to finance stream maintenance, repair, and restoration projects. This is part of the BCWMC’s annual water quality and flood control program. The BCWMC established this policy and fund to realize benefits including reduced potential for flooding, water quality improvement, and mitigating water quality impairments. Member cities contribute through the annual assessment.~~

Applicable funding: ~~Streambank Trunk System Maintenance, Repair, and Sediment Removal Fund~~

Adopted: ~~November 13, 2003~~

Citation: ~~See TAC memos (17 pages, 11/13/03)~~

Strategies to Implement Policy:

- ~~1. Fund will be used to support creek bank maintenance projects that have regional benefit, or to partially fund relatively low-cost localized projects that cities wish to undertake.~~
- ~~2. Finance maintenance and repairs needed to restore and maintain designed flow rate. The designed flow rate is the flow for the regulatory flood levels used to set the Bassett Creek Flood Profiles Table 5.3 of the 2004 BCWMC Watershed Management Plan.~~
- ~~3. Based on an assessment of benefits to be realized, finance restoration of a damaged creek or streambank structures, and take steps to prevent imminent structural damage.~~
- ~~4. Finance a portion of a project that provides watershed benefits, including reduced potential for flooding, mitigation of water quality impairment, or minimizing the potential for water quality impairment.~~
- ~~5. Member cities will complete and update inventories of significant erosion and sedimentation areas along the Bassett Creek trunk system and will share this information with the BCWMC. The BCWMC will allocate funds from this fund only for those areas identified in a completed inventory.~~
- ~~6. Member cities are responsible for funding maintenance and repairs that are primarily aesthetic improvements.~~
- 7.14. The portion of the fund each member city is eligible to receive is based on the percentage of the trunk system that is located in each city.

3.2—External Costs of Capital Improvement Projects

Policy: ~~The Commission does not fund site preparation or property acquisition for Commission CIP projects, except for wetland preservation or replacement/mitigation costs.~~

Description: ~~This policy explains what external costs of CIP projects the Commission will fund.~~

Applicable funding: ~~CIP funding~~

Adopted: ~~March 6, 2008~~

Citation: ~~Memo from Charlie LeFevre, Kennedy and Graven, P.A. and Len Kremer, Barr Engineering, dated April 29, 2008.~~

Strategies to Implement Policy: ~~_____~~

- ~~1. The BCWMC will pay the expenses associated with wetland mitigation on CIP projects.~~
- ~~2. Each member city is required to acquire the necessary easements or right-of-way or interest in land to facilitate construction of BCWMC CIP projects.~~

3.3—Administration of BCWMC Water Quality Management Standards

Policy: ~~The BCWMC will work closely with its nine member cities to assign responsibility for management of water resource issues, seeking to efficiently and effectively use the cities' and the Commission's planning and implementation resources.~~

Description: ~~In an effort to enhance past and current initiatives, the BCWMC will assist citizens and cities with the management of water resources, in the following areas:~~

- ~~Partner with member communities in the management of surface and groundwater for the benefit of citizens within the watershed and region.~~
- ~~Work with citizens, citizen advisory groups and member communities to establish goals and prioritize and implement initiatives that will preserve and improve water resources within the watershed.~~
- ~~Collect, develop, and distribute information regarding surface water and groundwater in the watershed to assist citizens and member cities in the preparation of local plans for the management of water resources.~~

Applicable funding: ~~General fund and CIP fund~~

Adopted: ~~2004~~

Citation: ~~See Watershed Management Plan, page 12-1~~

Strategies to Implement Policy: ~~See WMP~~

3.4 **Public Involvement**

Policy: ~~The Commission operates in a manner that fosters and encourages public involvement in its decision-making and planning.~~

Description: ~~The BCWMC and the member cities have used various methods to educate/inform the public about BCWMC activities and water resource related topics.~~

Applicable funding: ~~Education and Outreach Committee budget~~

Adopted: ~~2004~~

Citation: ~~See Watershed Management Plan, page 10-1 and Commission Letter to Hennepin County sent during 2009 Legislative session~~

Strategies to Implement Policy:

~~BCWMC's public involvement policies focus on three main efforts:~~

1. ~~BCWMC tries to raise awareness of the watershed's existence and the role that the BCWMC plays in protecting water quality and preserving the watershed's health and aesthetics.~~
2. ~~Public involvement—Enable the target audiences to have confidence in the BCWMC's expertise and participate in a meaningful way in the planning process and ongoing projects conducted by the BCWMC.~~
3. ~~Changing behaviors—Raise awareness of the impact that individuals, businesses and organizations have upon water quality and motivate these audiences to change personal/corporate behavior that has a negative impact on water quality and the watershed.~~

3.5—Review of Improvements, Development Proposals, and Other Agency Permits

Policy: ~~Commission will review and comment on water resource impacts from development and redevelopment projects in the watershed, as well as on compliance with Commission policy.~~

Description: ~~Cooperation between the BCWMC, the member municipalities, and concerned citizens is important to effectively facilitate the management of the watershed's water resources. Consistent with BCWMC policies and the joint powers agreement, the BCWMC desires to be informed of improvements or land development proposals that may affect the water and related resources of the watershed.~~

Applicable funding: ~~General fund~~

Adopted: ~~2004~~

Citation: ~~See Watershed Management Plan, page 12-2 and Requirements for Improvement and Development Proposals on BCWMC website.~~

Strategies to Implement Policy:

- ~~1. Commission will annually review its thresholds initiating review and adjust them as necessary to address our goals.~~
- ~~2. The BCWMC will review city water resource management plans for consistency with BCWMC goals and intercommunity consistency.~~

3.63.5 Dispute Resolution

Policy: The Commission will provide a process for solving potential disputes that allows the organization to focus on its goals.

Description: If watershed management disputes should arise between the BCWMC member cities, these disputes may be referred to the BCWMC for resolution. Although the BCWMC's joint powers agreement does not specifically give the BCWMC the power to decide such disputes, the BCWMC will hear the disputes and endeavor to reach a mutually agreeable solution whenever possible. Under the joint powers agreement, the BCWMC's findings and recommendations would not be binding unless the parties to the dispute wish to make a prior agreement to that effect.

Applicable funding: Administrative funds

Adopted: 2004

Citation: ~~See Watershed Management Plan, page (see WMP, pg. 12-3)~~2015 Watershed Management Plan 5.1.1.5

Strategies to Implement Policy:

1. The BCWMC will mediate inter-community disputes relating to watershed management problems within the Bassett Creek watershed.
2. Disputes will be referred to a committee of three BCWMC members or alternate members from member communities who are not parties to the dispute. Members will

be appointed by the BCWMC chair or vice-chair, which will also appoint one of the three members as the chair of the committee.

3. The committee chair will call a meeting where each party to the dispute will be allowed to present its suggestions to resolve the dispute.
4. The committee may consult with the members of the BCWMC staff and will prepare findings and recommendations to resolve the dispute.
5. The committee's recommendation will be presented to the full BCWMC, which may accept, reject, or amend the recommendation before forwarding the findings and recommendations to the parties of the dispute.

3.73.6 Use of Requests for Proposals from Consulting Firms

Policy: The BCWMC will use consultants to perform the majority of its work. Requests for proposals from consultants will follow the guidelines below.

Applicable funding: Annual operating budget and CIP funds

Adopted:

Citation: Meeting minutes – October 20, 2016

Guidelines:

A. Primary engineering consultant:

The BCWMC contracts with a consulting firm for day-to-day engineering services (the "Commission Engineer." The contract with the Commission Engineer will be reviewed every 2 years. The following tasks will only be performed by the Commission Engineer:

- Flood Control Project inspections
- Development reviews as required by Watershed Plan or at the request of member cities
- Capital Improvement Program (CIP) project reviews (50% plans, 90% plans, final plans)
- XP-SWMM model maintenance and updates
- P8 model maintenance and updates
- Watershed-wide total maximum daily load study (TMDL)
- Local water management plan reviews- except when Commission Engineer develops the local water management plan for the city.

For the purposes of developing the annual budget the Commission Engineer will provide the budget committee with a simple, one page or less, proposal for each of the above tasks that includes an itemized list of tasks with estimated costs.

B. Engineering consulting services not listed in section A. above.

At the direction of the Commission, the BCWMC may contract with firms other than the Commission Engineer for the following services:

- Routine lake monitoring
- Routine stream monitoring
- Watershed Outlet Monitoring Program (WOMP) sample collection & equipment maintenance
- WOMP flow analysis and data analysis
- Specific studies (e.g. localized TMDLs, CIP effectiveness monitoring AIS pathways analysis, subwatershed analysis, resource management plans, etc.)

At the direction of the BCWMC, contracts for these services may be multi-year, as appropriate. The criteria for selecting a consultant may be based on a variety of factors, such as, but not limited to:

- Special skills of a particular consultant
- Type of project
- Commission's past experience with a particular firm, and
- Estimated Project Cost

For RFP administration, the BCWMC Administrator will:

- Draft the RFP in cooperation with the BCWMC Technical Advisory Committee (TAC)
- Allow the TAC to review the RFP and refine the RFP before distribution
- Allow the TAC to review the responses to the RFP and make recommendations to the BCWMC to consider at their monthly meeting.
- Forward all responses to the RFP and the TAC's recommendation to the BCWMC for final consideration and approval.

SECTION	TITLE & DESCRIPTION	RETENTION/STATUTE	ARCHIVAL VALUE?*	DATA CLASS	STORAGE MEDIA ¹
ADMINISTRATION	Annual Reports Including annual work plan for following year.	Retain permanently	Yes	Public Minn. Stat. § 13.03	Electronic
ADMINISTRATION	Bid, Quotations and Request for Proposals and Supporting Papers - Not Accepted Rejected by the Commission	Retain 6 years	No	Public/Protected Non-public until all bids are opened Minn. Stat. § 13.37 Minn. Stat. § 13.59	Electronic
ADMINISTRATION	Bid, Quotations and Request for Proposals – Accepted Accepted by the Commission	Retain 10 years after completion of project	No	Public/Non-public Minn. Stat. § 13.37, subd. 2 Minn. Stat. § 13.59	Electronic
ADMINISTRATION	Organization Bylaws	Retain permanently	Yes	Public Minn. Stat. § 13.03	Electronic
ADMINISTRATION	Organization Policies and Procedures Documents the policies and procedures of the Commission	Retained until superseded	No	Public Minn. Stat. § 13.03	Electronic
ADMINISTRATION	Contracts and Agreements (not otherwise scheduled herein)	Retain 10 years after paid and audited	No	Public Minn. Stat. § 13.03	Electronic

BCWMC Records Retention Schedule
Adopted _____, 2016

SECTION	TITLE & DESCRIPTION	RETENTION/STATUTE	ARCHIVAL VALUE?*	DATA CLASS	STORAGE MEDIA ¹
ADMINISTRATION	<p>Correspondence</p> <p>a. General</p> <p>b. Historical – correspondence to from Commissioners and Administrator. Official correspondence that documents important events or major functions of the office. Usually deals with a specific topic, issue, organization or individual.</p> <p>c. Messages – Transitory messages, email, social media, or phone messages of short term interest which are considered incidental and non-vital correspondence. Note: messages which relate to transactions of Commission business should be retained in accordance with applicable retention schedule.</p>	<p>a. Retain 3 years</p> <p>b. Retain permanently</p> <p>c. Retain until read</p>	<p>a. No</p> <p>b. Yes</p> <p>c. No</p>	<p>a. Public - Minn. Stat. § 13.03</p> <p>b. Public/Private - Minn. Stat. § 13.601</p> <p>c. Public</p>	Electronic

BCWMC Records Retention Schedule
Adopted _____, 2016

SECTION	TITLE & DESCRIPTION	RETENTION/STATUTE	ARCHIVAL VALUE?*	DATA CLASS	STORAGE MEDIA ¹
ADMINISTRATION	Minutes – Commission and Various Committees a. Typed minutes b. Audio recordings	a. Retain permanently b. Open meetings: retain for 1 year after approval of minutes by commission or committee; Closed meetings: retain for 3 years for labor negotiations, 4 years for security info, 8 years for purchase or sale of real property	a. Yes b. No	a. Public b. Public/Non-Public - Minn. Stat. §§ 13D.05, 13.37	Electronic/Audio
ADMINISTRATION	Grants Miscellaneous grant programs and stipulations.	Consult grant issuing agency. Typically 3 years after audit (State grants) and 6 years after audit (federal grants).	No	Public, unless otherwise required by other government agency Minn. Stat. § 13.35	Electronic
ADMINISTRATION	Agenda Packets Commission and various committees that are Commission approved or appointed	Retain permanently	Yes	Public Minn. Stat. § 13.03	Electronic
ADMINISTRATION	Affidavits of Publication	a. Retain 6 years	a. No	a. Public – Minn. Stat. § 13.03	Electronic

BCWMC Records Retention Schedule
Adopted _____, 2016

SECTION	TITLE & DESCRIPTION	RETENTION/STATUTE	ARCHIVAL VALUE?*	DATA CLASS	STORAGE MEDIA ¹
	<ul style="list-style-type: none"> a. General notices, including public hearings b. Rules 	b. Retain permanently	b. Yes	b. Public - Minn. Stat. § 13.03	
ADMINISTRATION	<p>Notice of Meetings – Commission and Committees</p> <p>Commission-generated</p>	Retain 6 years	No	Public Minn. Stat. § 13.03	Electronic
ADMINISTRATION	<p>Attorney</p> <ul style="list-style-type: none"> a. Correspondence and reports related the legal review of Commission functions such as rules, insurance, contracts and grants, claims for damages. b. Official opinions regarding questions of legal rights or liabilities affecting Commission. 	<ul style="list-style-type: none"> a. Retain 6 years b. Retain 10 years 	<ul style="list-style-type: none"> a. Yes b. No 	<ul style="list-style-type: none"> a. Public - Minn. Stat. § 13.03 b. Public/Private/ Non-Public - Minn. Stat. § § 13.393, 13.39 	Paper/Electronic
ADMINISTRATION	Drafts, duplicates, notes or other documents that have not become part of an official transaction, not otherwise scheduled herein.	Retain 2 years then discard	No	Public Minn. Stat. § 13.03	Paper/Electronic

BCWMC Records Retention Schedule
Adopted _____, 2016

SECTION	TITLE & DESCRIPTION	RETENTION/STATUTE	ARCHIVAL VALUE?*	DATA CLASS	STORAGE MEDIA ¹
ADMINISTRATION	Historical Information and Photographs	Retain permanently	Yes	Public Minn. Stat. § 13.03	Paper/Electronic
ADMINISTRATION	Inventories and Equipment Lists	Retain until superseded	No	Public Minn. Stat. § 13.03	Electronic
ADMINISTRATION	Leases	Retain 10 years after paid and audited	No	Public Minn. Stat. § 13.03	Electronic
ADMINISTRATION	Lawsuits a. Property Lawsuits b. Civil Litigation c. Criminal Litigation	a. Retain 10 years after either filing with County or last court activity b. Retain 10 years after last court activity c. Retain 2 years after last court activity	a. Yes b. No c. No	Public/Private/Confidential/Protected Non-Public Minn. Stat. § 13.03, 13.39, 13.393, 13.82	Paper/Electronic
ADMINISTRATION	Newsletters	Retain permanently	Yes	Public Minn. Stat. § 13.03	Electronic
ADMINISTRATION	Press Releases	Retain 1 year	No	Public Minn. Stat. § 13.03	Electronic
ADMINISTRATION	Public Opinion Surveys	Retain permanently	Yes	Public Minn. Stat. § 13.03	Electronic
ADMINISTRATION	Commission meeting materials not otherwise included herein	Retain 10 years then discard	No	Public Minn. Stat. § 13.03	Electronic
BONDS	Appearance Bonds	Retain 6 years after completion of contract	No	Public Minn. Stat. § 13.03	Electronic

BCWMC Records Retention Schedule
Adopted _____, 2016

SECTION	TITLE & DESCRIPTION	RETENTION/STATUTE	ARCHIVAL VALUE?*	DATA CLASS	STORAGE MEDIA ¹
BONDS	Contractor License Bonds, Certificates of Insurance, etc.	Retain 6 years after completion of contract	No	Public Minn. Stat. § 13.03	Electronic
BONDS	Fidelity Bonds – managers	Retain 6 years after completion of service by manager	No	Public Minn. Stat. § 13.03	Electronic
BONDS	Performance and Payment Bonds	Retain 6 years after completion of contract	No	Public Minn. Stat. § 13.03	Electronic
BONDS	Permit Bonds	Retain 6 years after permit closure; retain copy if original returned to provider	No	Public Minn. Stat. § 13.03	Electronic
FINANCE	Budget – Annual	Retain permanently; transfer copy to State Archives after 10 years	Yes	Public Minn. Stat. § 13.03	Electronic
FINANCE	Budget Workpapers/Reports Annual budgeting documents, meeting minutes, monthly reports, breakdown of accounts, etc.	Retain 2 years	No	Public Minn. Stat. § 13.03	Electronic
FINANCE	Assessment Rolls Copies of assessment rolls received from county auditor	Retain 6 years after final payment of assessment	No	Public Minn. Stat. § 13.03	Electronic
FINANCE	Audit Reports	Retain 7 years	No	Public Minn. Stat. § 13.03	Electronic
FINANCE	Billing Statements	Retain 4 years	No	Public Minn. Stat. § 13.03	Electronic

BCWMC Records Retention Schedule
Adopted _____, 2016

SECTION	TITLE & DESCRIPTION	RETENTION/STATUTE	ARCHIVAL VALUE?*	DATA CLASS	STORAGE MEDIA ¹
FINANCE	Bank Statements Deposit slips, deposit books and reconciliations	Retain 6 years	No	Public Minn. Stat. § 13.03	Electronic
FINANCE	Budget Reports	Retain 2 years	No	Public Minn. Stat. § 13.03	Electronic
FINANCE	Checks a. Checks (Canceled and Voided) Accounts Payable - paid and returned checks b. Checks (Accounts Receivable) - Checks received from customers submitted electronically to financial institution c. Checks –(Canceled and Voided) Payroll – paid and returned checks d. Checks (NSF) Bad Checks and Bad Check Lists e. Checks (Duplicate) – alphabetical order of checks issued	a. Retain 6 years b. Retain 7 days c. Retain 6 years d. Retain 6 years e. Retain 4 years	No	a. Public - Minn. Stat. § 13.03 b. Public/Private - Minn. Stat. § 13.37 c. Public/Private - Minn. Stat. § 13.43 d. Public - Minn. Stat. § 13.03 e. Public - Minn. Stat. § 13.03	Electronic

BCWMC Records Retention Schedule
Adopted _____, 2016

SECTION	TITLE & DESCRIPTION	RETENTION/STATUTE	ARCHIVAL VALUE?*	DATA CLASS	STORAGE MEDIA ¹
FINANCE	Receipts and Receipt Books Records documenting cash received by the Commission	Retain 6 years	No	Public Minn. Stat. § 13.03	Electronic
FINANCE	Accounts Payable and Accounts Receivable Ledgers and Journals Records of all accounts of monies owed to other parties by the Commission and monies owed to the Commission.	Retain 6 years	No	Public Minn. Stat. § 13.03	Electronic
FINANCE	Investment Documents Record of investments made by the Commission.	Retain 4 years after maturity	No	Public Minn. Stat. § 13.03	Electronic
FINANCE	Invoices Record of payments and requests for payment of accounts paid by or to the Commission.	Retain 6 years	No	Public Minn. Stat. § 13.03	Electronic
FINANCE	Payroll ² History Card	Retain permanently	No	Public/Private Minn. Stat. § 13.43	Electronic
FINANCE	Pension and Retirement Reports ²	Retain 10 years	No	Public/Private Minn. Stat. § 13.43	Electronic
FINANCE	Purged Accounts	Retain 6 years (irrespective of audit)	No	Public Minn. Stat. § 13.03	Electronic
FINANCIAL	Staffing Lists ²	Retain 6 years	No	Public Minn. Stat. § 13.03	Electronic

BCWMC Records Retention Schedule
Adopted _____, 2016

SECTION	TITLE & DESCRIPTION	RETENTION/STATUTE	ARCHIVAL VALUE?*	DATA CLASS	STORAGE MEDIA ¹
FINANCE	Time Sheets ² Originals	Retain 6 years	No	Public/Private Minn. Stat. § 13.43	Electronic
FINANCE	W-2 Statements – Employers Copy	Retain 6 years	No	Public/Private Minn. Stat. § 13.43	Electronic
FINANCE	W-4 Form – Originals	Retain until replaced	No	Public/Private Minn. Stat. § 13.43	Electronic
FINANCE	Workers' Compensation Claims ² Injury reports and correspondence dealing with injuries. If infectious disease, retain 30 years per HRS 04400	Retain 20 years	No	Private Minn. Stat. § 176.231	Electronic
FINANCIAL	1099 Miscellaneous Income	Retain 6 years	No	Public/Private Minn. Stat. § 13.43	Electronic
INSURANCE	Policies Includes, but is not limited to, auto, life, property, public officials, general liability, umbrella liability.	Retain 6 years after expiration	No	Public Minn. Stat. § 13.03	Electronic
INSURANCE	Workers' Compensation Claim Register ²	Retain permanently	No	Public Minn. Stat. § 176.231	Electronic
PERMITS	Applications and Correspondence	Retain 10 years, then transfer to State Archives	Yes	Public Minn. Stat. § 13.03	Electronic
PERMITS	Engineer's Reports	Retain 10 years, then transfer to State Archives	Yes	Public Minn. Stat. § 13.03	Electronic

BCWMC Records Retention Schedule
Adopted _____, 2016

SECTION	TITLE & DESCRIPTION	RETENTION/STATUTE	ARCHIVAL VALUE?*	DATA CLASS	STORAGE MEDIA ¹
PERMITS	Inspectors' Reports Includes reports, inspectors' documents relating to permit inspections	Retain 10 years, then transfer to State Archives	Yes	Public Minn. Stat. § 13.03	Electronic
PERMITS	Permit Financial Assurances Bonds, Letters of Credit, Letters of Reduction, etc.	Retain 6 years after permit closure	No	Public Minn. Stat. § 13.03	Electronic
PERMITS	Permits	Retain permanently	No	Public Minn. Stat. § 13.03	Electronic
PERMITS	Plans	Retain permanently	No	Public Minn. Stat. § 13.03	Electronic
TECHNICAL	Water Quality and Quantity Monitoring Raw data, lab reports, QA/QC data	Retain 30 years	No	Public Minn. Stat. § 13.03	Paper Field Notes/Electronic
TECHNICAL	Water Monitoring Reports Annual, cumulative from project	Retain permanently	No	Public Minn. Stat. § 13.03	Electronic
CIP	Feasibility Studies/Reports, Commission Project Designs and Final Reports	Retain through expected life of project (typically 30 years), then transfer to State Archives	Yes	Public Minn. Stat. § 13.03	Electronic
CIP	Contracts For Capital Improvements	Retain permanently	Yes	Public Minn. Stat. § 13.03	Electronic

BCWMC Records Retention Schedule
Adopted _____, 2016

SECTION	TITLE & DESCRIPTION	RETENTION/STATUTE	ARCHIVAL VALUE?*	DATA CLASS	STORAGE MEDIA ¹
CIP	Project Records	Retain 5 years, unless project is a major capital improvement, then retain permanently	Yes	Public Minn. Stat. § 13.03	Electronic
CIP	Property Surveys	Retain permanently	Yes	Public Minn. Stat. § 13.03	Electronic
PLANNING	<p>a. Watershed Management Plan Document, Amendments and Records</p> <p>b. Plan development documents, meeting minutes, official comments and responses on draft plan, etc.</p>	<p>a. Retain permanently</p> <p>b. Retain until superseded</p>	No	Public Minn. Stat. § 13.03	Electronic
PLANNING	Documents pertaining to amendments to Watershed Plan including official comments and responses on draft amendment	Retain permanently	Yes	Public Minn. Stat. § 13.03	Electronic
RECORDS MGMT	<p>Authority to Dispose of Records State Form (PR-1)</p> <p>Used to approve destruction of records not on an approved retention schedule</p>	Retain permanently	Yes	Public Minn. Stat. § 13.03	Electronic

BCWMC Records Retention Schedule
Adopted _____, 2016

SECTION	TITLE & DESCRIPTION	RETENTION/STATUTE	ARCHIVAL VALUE?*	DATA CLASS	STORAGE MEDIA ¹
RECORDS MGMT	Records Inventories List of specific types of records generated by BCWMC. Used for generating retention schedules	Retain until superseded	No	Public Minn. Stat. § 13.03	Electronic
RECORDS MGMT	Records Retention Schedules List of specific types of records maintained by an agency and the period of time that each type should be retained.	Retain until superseded.	No	Public Minn. Stat. § 13.03	Electronic
RECORDS MGMT	Records Transfer/Transmittal List Documentation that tracks and verifies the transfer of records.	Retain 1 year or until the records are removed/destroyed	No	Public Minn. Stat. § 13.03	Electronic

* If a particular record series has archival value, it should ultimately be transferred to the State Archives when it no longer needs to be retained in the BCWMC.

¹ Storage media may currently be paper and documents previously transferred to State Archives were paper. The BCWMC is working to digitize all historical files for retention and transfer purposes.

² The BCWMC currently uses contractors and consultants to complete its work. These provisions would only be used if the BCWMC were to hire actual staff.

BASSETT CREEK WATERSHED MANAGEMENT COMMISSION

RESOLUTION NO. _____

A RESOLUTION ADOPTING A RECORDS RETENTION SCHEDULE

WHEREAS, the Bassett Creek Watershed Management Commission (“BCWMC”) is a joint powers watershed management organization formed by the cities of _____ under Minnesota Statutes, sections 103B.201 to 103B.253;

WHEREAS, the BCWMC creates and comes into possession of “government records,” as that term is defined in Minnesota Statutes, section 138.17, subdivision 1(b)(1), in the normal course of conducting its business;

WHEREAS, under Minnesota Statutes, section 138.225, government records may not be destroyed except by the authority of the state’s records disposition panel;

WHEREAS, the state’s records disposition panel, established pursuant to Minnesota Statutes, section 138.17, allows for the destruction of government records by local governments and public authorities pursuant to a schedule adopted by the public authority and approved by the panel, provided the destruction is accomplished in accordance with the schedule and state law;

WHEREAS, the Board of Commissioners has not previously adopted a records retention schedule for the BCWMC; and

WHEREAS, the Board of Commissioners determines adopting a records retention schedule is in the BCWMC’s best interests to help ensure the preservation of government documents while respecting the practical limitations of storage space, administrative time, and costs associated with attempting to indefinitely retain all such documents.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners hereby adopts the attached Records Retention Schedule (“Schedule”) for the BCWMC with the following understandings:

1. The list of documents on the Schedule shall be interpreted broadly to reduce the number of documents considered to be not on the Schedule. To the extent a government document obtained or created by the BCWMC is not included in the Schedule, the BCWMC shall refer to and apply the General Records Retention Schedule for Minnesota Cities as it may be updated and amended from time to time with respect to the particular document. If a governmental record in the BCWMC’s possession is not found in either schedule, the BCWMC will either amend its Schedule to list the document or it will submit an Application for Authority to Dispose of Records (PR-1 Form) to receive authority before destroying it;
2. The BCWMC is subject to the Data Practices Act (the “Act”) and nothing in this Resolution or the Schedule modifies the application of the Act to the BCWMC’s government records. Any government record in the BCWMC’s possession classified by the Act as not public shall not be made available to the public except as provided by the Act and when they are disposed of in accordance with the Schedule they shall be destroyed in a way that prevents their contents from being determined;

3. The BCWMC considers the preservation of “government records” as defined in Minnesota Statutes, section 138.17, subd. 1 (b)(1) in accordance with the Schedule as sufficient to satisfy its obligation under Minnesota Statutes, section 15.17 to preserve records as necessary to provide a full and accurate knowledge of the BCWMC’s official activities. Documents and data that do not constitute “government records” shall not be subject to this Schedule and the BCWMC may keep or destroy such items as it determines is appropriate or as may otherwise be required by law;
4. The Schedule applies only to original documents and data. Non-originals shall be retained or destroyed as the BCWMC determines is appropriate without regard to the Schedule;
5. The BCWMC shall retain records using such methods and in such locations as it determines is most appropriate under the circumstances and in accordance with its obligations under law;
6. Government records identified in the Schedule as having archival value must be preserved and may be transferred to the State Archives or other appropriate repository with the specific, written permission of the State Records Disposition Panel as needed; and
7. The Board of Commissioners may amend the Schedule at such times in the future as it determines is necessary.

BE IT FURTHER RESOLVED, that the Administrator is authorized and directed, at such times as are convenient, to destroy all government records in accordance with the Schedule and to create and retain a report on all such destruction activities which lists the types of records destroyed; and

BE IT FINALLY RESOLVED, that the Administrator is authorized and directed to send a copy of this Resolution together with notification of the BCWMC’s adoption of the Schedule to the Minnesota Historical Society (State Archives) for review and approval, and to take such additional steps, and to make edits to the Schedule, as may be required to obtain approval.

Adopted this ____ day of _____, 201__.

BY THE BOARD OF
COMMISSIONERS

Chairperson

Attest:

Secretary

ADMINISTRATOR AGREEMENT

THIS AGREEMENT is made effective as of the first day of February, ~~2015~~2017, by and between the Bassett Creek Watershed Management Commission, a Minnesota joint powers organization (the “Commission”), and Keystone Waters, LLC, a Minnesota limited liability company (the “Contractor”).

1. SCOPE OF SERVICES: Contractor will perform the following services as prioritized and assigned by the Commission under this Agreement, together with such other administrative services as may be assigned from time to time:

- ~~Facilitate the development and implementation of an~~ Implement the projects and programs of the updated watershed management plan ~~to set strategic direction, goals, policies and work plans for the next 10 years.~~
- Guide the Commission through the Plan Amendment process, as needed.
- Establish processes to increase the organization’s efficiency and to reduce duplication of effort.
- Serve as the primary point of contact for Commission business and coordinate activities among consultants.
- Provide coordination with representatives of City, County, State and Federal agencies and other stakeholder groups.
- Coordinate consultants’ projects and activities; review invoices and recommend payment.
- Identify opportunities to secure grant funding and develop partnerships to accomplish the Commission’s Watershed Management Plan.
- Track implementation of watershed-funded annual water quality projects and activities to ensure that established objectives, project budgets, and schedules are met.
- With the assistance of the Administrative Committee and the Deputy Treasurer, develop an operation budget on an annual basis for consideration by the Commission.
- Develop an annual work plan and reporting system in consultation with the Commission’s Administrative Committee.
- Develop agendas for meetings; attend the monthly Commission meetings, TAC meetings and others as necessary.
- Perform other duties or activities as may be directed by the Commission.

2. COMPENSATION. Contractor will be paid for services at the rate of \$~~67~~70 per hour.

Contractor will be reimbursed for actual, reasonable and necessary out-of-pocket expenses including postage, photocopies, audiotapes, and printing. Mileage will not be reimbursed for travel within the Minneapolis/St. Paul seven-county metropolitan area. Contractor will be paid at the hourly rate specified above for travel time on Commission business, but will not be paid for travel time commuting to and from home for Commission meetings. Travel outside of the seven-county metropolitan area including mileage (State of Minnesota rate), meals and overnight accommodations must have the prior approval of the Commission or its

designee. The Commission may specify vendors to be used by Contractor for reimbursable expenses, which vendors may include Barr Engineering, member cities, or other entities.

Compensation will not exceed an average of \$5,1505,600 per month, excluding expenses, and shall not exceed a total of \$67,200 for the entire fiscal year, including reimbursable expenses, without the prior approval of the Commission or its authorized officers. Reimbursable expenses of the Administrator (in addition to prior approved travel) may include postage, printing, reasonable meeting refreshments, general office supplies used for Commission business, and other expenses, as approved.

3. PAYMENT. The Contractor will submit monthly invoices for services providing detailed time records of services provided and time spent and receipts for reimbursable expenses.

Invoices and records, together with supporting information, shall be submitted in a form acceptable to the Commission. The Commission will pay invoices within 45 days of receipt thereof. Invoices received by the first Thursday of the month will ordinarily be authorized for payment at that month's regular meeting.

4. TERM AND TERMINATION. This Agreement shall continue in effect indefinitely unless terminated in accordance with this Agreement. This Agreement may be terminated by either party at any time, and for any reason, on 30 days' written notice.
5. SUBSTITUTION AND ASSIGNMENT. Services provided by Contractor will generally be performed by Laura Jester. Upon approval by the Commission, the Contractor may substitute other persons to perform the services set forth in this Agreement. No assignment of this Agreement shall be permitted without a prior written amendment signed by the Commission and the Contractor.
6. AMENDMENTS. No amendments to this Agreement may be made except in writing signed by both parties.
7. INDEPENDENT CONTRACTOR. The Contractor (including the Contractor's employees, if any) is not an employee of the Commission. Contractor will act as independent contractor and acquire no rights to tenure, workers' compensation benefits, unemployment compensation benefits, medical and hospital benefits, sick and vacation leave, severance pay, pension benefits or other rights or benefits offered to employees of the Commission. Contractor shall not be considered an employee of the Commission for any purpose including, but not limited to: income tax withholding; workers' compensation; unemployment compensation; FICA taxes; liability for torts; and eligibility for benefits.

Contractor will not be provided with a place of business and will retain control over the manner and means of the services provided as an independent contractor. Contractor will provide, at Contractor's expense, necessary office space, transportation, computer capability, an internet email address and incidental office supplies.

This Agreement is non-exclusive. Contractor may take other employment or contracts that do not interfere with Contractor's duties hereunder.

8. **DATA PRACTICES AND RECORDS.** All records, information, materials and other work product, in written, electronic, or any other form, developed in connection with providing services under this Agreement shall be the exclusive property of the Commission. All such records shall be maintained with the records of the Commission and in accordance with the instructions of the Commission. The Contractor will comply with the Minnesota Government Data Practices Act and all other applicable state and federal laws relating to data privacy or confidentiality. If Contractor receives a request for data pursuant to the Data Practices Act, Minnesota Statutes chapter 13 (DPA), that may encompass data (as that term is defined in the DPA) Contractor possesses or has created as a result of this Agreement, it will inform the Commission immediately and transmit a copy of the request. If the request is addressed to the Commission, Contractor will not provide any information or documents, but will direct the inquiry to the Commission. If the request is addressed to Contractor, Contractor will be responsible to determine whether she is legally required to respond to the request and otherwise what her legal obligations are, but will notify and consult with the Commission and its legal counsel before replying. Nothing in the preceding sentence supersedes Contractor's obligations under this agreement with respect to protection of Commission data, property rights in data or confidentiality. Nothing in this section constitutes a determination that Contractor is performing a governmental function within the meaning of Minnesota Statutes section 13.05, subdivision 11, or otherwise expands the applicability of the DPA beyond its scope under governing law.
9. **COMPLIANCE WITH LAWS.** Contractor shall comply with all applicable federal, state and local laws, regulations or ordinances in performance of Contractor's duties hereunder, such laws including but not limited to those relating to non-discrimination in hiring or labor practices.
10. **AUDIT.** The Contractor agrees that the Commission, the State Auditor, or any of their duly authorized representatives, at any time during normal business hours and as often as they may reasonably deem necessary shall have access to and the right to examine, audit, excerpt, and transcribe any books, documents, papers, and records that are relevant to and involve transactions relating to this Agreement.
11. **HOLD HARMLESS AND INSURANCE.** Contractor shall defend, indemnify and hold harmless the Commission, its member cities and their elected officials, officers, employees, agents, and representatives, from and against any and all claims, costs, losses, expenses, demands, actions or causes of action, including reasonable attorneys' fees and other costs and expenses of litigation that may arise out of this Agreement for services provided by Contractor hereunder. Contractor's obligation to indemnify Commission shall be limited to indemnification provided by insurance. Contractor shall maintain insurance providing coverage for general and professional liability in the amounts and providing the coverage generally described in the insurance binders attached to this Agreement. Contractor can rely on work provided by the Commission's Contractors.

12. **APPLICABLE LAW.** The law of the State of Minnesota shall govern all interpretations of this Agreement, and the appropriate venue and jurisdiction for any litigation that may arise under this Agreement will be in and under those courts located within the County of Hennepin, State of Minnesota, regardless of the place of business, residence, or incorporation of Contractor.
13. **NO AGENCY.** Contractor is an independent contractor and shall not be considered to be the agent or servant of the Commission for any purpose and shall have no authority to enter into any contracts, create any obligations, or make any warranties or representations on behalf of the Commission unless specifically given such authority in writing or by motion of the Commission.
14. **NOTICES.** Any notice or demand, authorized or required under this Agreement, shall be in writing and shall be sent by certified mail to the other party as follows:
- To the Contractor: Laura Jester
 Keystone Waters, LLC
 16145 Hillcrest Lane
 Eden Prairie, MN 55346
- To the Commission: Chair Jim de Lambert
 Bassett Creek Watershed Management Commission
 City of Plymouth
 City Hall
 3400 Plymouth Blvd.
 Plymouth, MN 55447
15. This Agreement supersedes the prior Administrator Agreement between the parties dated ~~January 2, 2013~~February 1, 2015, as of the effective date of this Agreement.

WHEREUPON, the undersigned hereunder set their hands to this Agreement as of the day first above written.

KEYSTONE WATERS, LLC

By: _____
Laura Jester

**BASSETT CREEK WATERSHED
MANAGEMENT COMMISSION**

By: _____
Jim de Lambert, Chair



Bassett Creek Watershed Management Commission

MEMO

Date: December 8, 2016
From: Laura Jester, Administrator
To: BCWMC Commissioners
RE: **Administrator's Report**

Aside from this month's agenda items, the Commission Engineers, city staff, committee members, and I continue to work on the following Commission projects and issues.

CIP Projects (more resources at <http://www.bassettcreekwmo.org/projects.>)

2017 Plymouth Creek Restoration Project, Annapolis Lane to 2,500 feet Upstream (2017CR-P): No update since November. The final feasibility study is now available online at <http://www.bassettcreekwmo.org/index.php?cID=284>. The Hennepin County Board approved the 2017 maximum levy request at their meeting on July 28th. Applications for a [Clean Water Fund grant](#) and a [Hennepin County Opportunity Grant](#) were submitted in August and September, respectively. At the September meeting, the Commission held a public hearing on the project and adopted a resolution ordering the project and certifying a final levy to Hennepin County. Also at that meeting, the Commission entered an agreement with the City of Plymouth to design and construct the project. At their meeting on October 11th, the city council approved the agreement. City staff will develop an RFP in the coming weeks for implementation and expects project design to occur over the winter.

2017 Main Stem Bassett Creek Streambank Erosion Repair Project (2017CR-M) (See Item 8C): No update since November. The feasibility study for this project was approved at the April Commission meeting and the final document is available on the project page at: <http://www.bassettcreekwmo.org/index.php?cID=281>. A Response Action Plan to address contaminated soils in the project area was completed by Barr Engineering with funding from Hennepin County and was reviewed and approved by the MPCA. The County Board approved the 2017 maximum levy request at their meeting on July 28th. At the September meeting, the Commission held a public hearing on the project and adopted a resolution ordering the project and certifying a final levy to Hennepin County. Also at that meeting, the Commission entered an agreement with the City of Minneapolis to design and construct the project. The Commission recently submitted an Environmental Response Fund grant application to Hennepin County to help fund the environmental response for the project.

2013 Four Season Area Water Quality Project (NL-2): No update since November. Since November 2015, the City of Plymouth has considered different options for this area including the original stream restoration, using only rock to stabilize the channel, and a flocculation facility. The City received comments on these options at a public meeting in January. Recently, a developer has proposed a redevelopment project (Agora) for the site that includes several innovative stormwater management features for the site. At their meeting in August, Commissioners received a presentation from Solution Blue and considered the developer's request for a partnership with the BCWMC to share in the cost of stormwater management that goes above and beyond the requirements. The developer recently submitted a complete development application to the City which will be reviewed by the city and then by the BCWMC. City staff are also analyzing alternate water quality improvement projects in the area. We anticipate a presentation of these projects to be presented at the December meeting in conjunction with further information about partnering opportunities between Agora and the Commission.

2014 Schaper Pond Diversion Project, Golden Valley (SL-3): No update since November. In August, the Commission Engineer reported that the structure had been vandalized and repair was needed. The City and the Commission Engineer are in the process of working with Sunram Construction (the contractor for the project) on a change order to add weights to some of the baffle anchors. The weights will provide more support against wind loading on the baffle. The contractor performed more seeding in the two access areas, which improved vegetation coverage, but more coverage is required to achieve final stabilization. Erosion control will be pulled once the final stabilization is completed.

2014 Twin Lake In-lake Alum Treatment, Golden Valley (TW-2): NO UPDATE SINCE MAY: At their March 2015 meeting, the Commission approved the project specifications and directed the city to finalize specifications and solicit bids for the project. The contract was awarded to HAB Aquatic Solutions. The alum treatment spanned two days: May 18- 19, 2015 with 15,070 gallons being applied. Water temperatures and water pH stayed within the desired ranges for the treatment. Early transparency data from before and after the treatment indicates a change in Secchi depth from 1.2 meters before the treatment to 4.8 meters on May 20th. There were no complaints or comments from residents during or since the treatment. Water monitoring continues to determine if and when a second alum treatment is necessary.

2015 Main Stem Restoration Project 10th Avenue to Duluth Street, Golden Valley (2015CR): No update since November. The restoration project is being constructed in two phases, each under separate contract. Phase one includes stream bank shaping, placement of field stone rock and 12-inch bio-logs, and repair of storm sewer outlets. The first phase of the project began in November 2015 and was finished in June 2016. Turf establishment and minor restoration repairs in Phase 1 were accepted in late October.

The City assessed the condition of the bank stabilization practices following the large rain events in July and August and found a handful of isolated areas where rocks and bio-logs were displaced enough where repairs are necessary. Repairs are scheduled for early December, weather dependent. It is anticipated that the project will enter the one-year warranty period following the completion of these repairs.

Phase two of the project includes the establishment of native vegetation along the stream, including grasses, wildflowers, shrubs, live stakes and fascines, and cordgrass plugs. The second phase of the contract, Native Buffer Vegetation installation is underway. The project has been seeded and stabilized and maintenance mowing and spot treatments have been completed. Applied Ecological Services (AES) will complete the tree and shrub planting in spring 2017 and will continue to monitor and maintain the native vegetation through 2018. It is anticipated that the total contract amount for both Phase one and Phase two will be within the Watershed's overall project budget.

2016 Northwood Lake Improvement Project, New Hope (NL-1): No update since November. Construction on this project began this spring. Photos and construction progress are available at: <http://www.ci.new-hope.mn.us/departments/publicworks/2016infrastructure.shtml>

Northwood Lake Improvement Project is nearing completion with all major work complete. Minor punch list items remain and the tank will be left dry until next spring when it is started up for the season.

- The storm tank is complete, along with all pretreatment structures.
- The overflow rain gardens are complete and functional and planted, minor work remains on a clogged drain tile pipe in one rain garden bed.
- The irrigation box was installed Monday 11/7.
- Mulch and seed have been installed across the entire site and grass is established. The park was opened to the public the week of 10/24. The official park opening event will be held Spring of 2017.

- Jordan Pond and the overflow structure to Basset Creek at 169 is complete and established. Trees were planted to help screen neighboring properties.

2016 Honeywell Pond Expansion Project, Golden Valley (BC-4): No update since November. Design plans for this project were approved by the Commission in November 2015. This spring, the Honeywell Pond Project was bid as part of the City of Golden Valley and Hennepin County's Douglas Drive (CSAH 102) Reconstruction Project. The reconstruction project began in June. To date, the contractor has cleared and graded the area near Douglas Drive and completed temporary stabilization. The diversion structure and outlet pipes have been constructed from the pond to the street. The force main work is scheduled to be constructed in November/December of this year with the lift station, controls, and irrigation system being installed later. It is anticipated that the excavation and expansion of the pond will begin after January 1, 2017 depending on weather conditions.

2018 Bassett Creek Park Pond & Winnetka Pond Dredging, Crystal (BCP-2): No update since November. At their July meeting the Commission approved a [proposal](#) from the Commission Engineer to complete the feasibility study which is now underway. The field investigations are complete, including bathymetric surveys, wetland delineations, and sediment sampling. Winnetka Pond West was dropped from further investigation when review of the bathymetric survey data indicated very little sediment accumulation. Sediment sample results indicate that all material at Winnetka Pond East is Level 1, indicating the excavated sediment can be reused at most sites. One sample at Bassett Creek Park Pond is a Level 2 and three samples are Level 1, which indicates limitations to reuse of the excavated sediment. The wetland delineation report is underway. The next steps include a comparison of previous survey or as-built data to the recently completed bathymetric survey to estimate sediment excavation volumes. This, along with sediment sample results and the wetland delineations will be used to develop project options and concept plans. During this time, a meeting will be held with stakeholders, including BCWMC staff, city staff, USACE, MN DNR, and MPCA to review permit requirements and discuss concept alternatives.

Other Projects

Education Tasks:

Dawn Pape, a.k.a. the Lawn Chair Gardener, continues to write monthly article for local papers and is now a guest columnist with Lakeshore Weekly News on behalf of the BCWMC. She also continues to develop new BCWMC educational displays and is managing BCWMC's social media. I continue to participate in the West Metro Water Alliance consortium at their monthly meetings.

I recently attended two Watershed Partners meetings to learn how to utilize their Clean Water MN media campaign materials including blog posts (which can be used as press releases), social media posts, and their new website. The BCWMC is a member of the Watershed Partners, contributing approximately \$3,500 per year to the media campaign. The Commission should take advantage of the material created by professionals.

Hennepin County Natural Resources Partnership: I attended the meeting of this group on August 23rd and participated in a workshop to "envision the future of environmental education for youth." I plan to continue regular attendance at these meetings held about every other month to connect with other watersheds, agencies, cities, and environmental organizations.

Committees:

Several BCWMC committees have been very active in recent months including the Administrative Services Committee, the APM/AIS Committee and the TAC. I have spent much time preparing documents (including revisions to the policy manual) and agendas for these meetings and performing follow up tasks. I expect the APM/AIS Committee to complete its work and bring recommendations to the Commission in January or February.

