



Item 4A.
BCWMC 9-21-17

Bassett Creek Watershed Management Commission

DRAFT Minutes of Regular Meeting
Thursday August 17, 2017
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	Tim Wodarski	Mark Ray
Golden Valley	Stacy Harwell, Treasurer	Jane McDonald Black	Tom Hoffman
Medicine Lake	Clint Carlson [arrived at 8:37]	<i>Absent</i>	<i>Absent</i>
Minneapolis	<i>Absent</i>	NA (vacant)	Liz Stout
Minnetonka	Mike Fruen	<i>Absent</i>	Tom Dietrich
New Hope	<i>Absent</i>	Pat Crough	Megan Albert
Plymouth	Jim Prom	John Byrnes	Derek Asche
Robbinsdale	Michael Scanlan	<i>Absent</i>	Richard McCoy, Marta Roser
St. Louis Park	Jim de Lambert	Patrick Noon	Erick Francis
Administrator	Laura Jester, Keystone Waters		
Engineer	Karen Chandler & Jeff Weiss, Barr Engineering		
Recorder	Dawn Pape, Lawn Chair Gardener		
Legal Counsel	Troy Gilchrist, Kennedy & Graven		
Presenters/ Guests/Public	Steve Christopher (BWSR), Kim Chapman (AES), Dave Filipiak (SRF), Jim Toulouse & David Davies (Metro Transit), Lucius Jonett & Ed Matthiesen (Wenck), John and Jeanne Starr (Plymouth residents), Steve Gebauer and Nathan Warner (Solution Blue), Apurva Patel (Rock Hill Management)		

1. CALL TO ORDER AND ROLL CALL

On Thursday August 17, 2017 at 8:31 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.

2. CITIZEN FORUM ON NON-AGENDA ITEMS

None.

3. APPROVAL OF AGENDA

The agenda was reviewed.

MOTION: Commissioner Prom moved to approve the agenda. Commissioner Harwell seconded the motion. Upon a vote, the motion carried 7-0 [Cities of Medicine Lake and Minneapolis absent from vote].

4. CONSENT AGENDA

Administrator Jester distributed a revised financial report for consideration within the consent agenda.

MOTION: Alternate Commissioner Crough moved to approve the consent agenda as amended and Commissioner Prom seconded the motion. Upon a vote, the motion carried 7-0 [Cities of Medicine Lake & Minneapolis absent from vote].

The following items were approved as part of the consent agenda: the July 20, 2017 Commission Meeting Minutes, the August 2017 Financial Report (as revised), the payment of invoices, approval of Northwood East Ballfield Improvements in New Hope, approval to reimburse Commissioner Scanlan for Water Resources Conference registration.

The general and construction account balances reported in the August 2017 Financial Report are as follows:

Checking Account Balance	\$600,769.68
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TOTAL GENERAL FUND BALANCE	\$600,769.68
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TOTAL CASH & INVESTMENTS ON-HAND (7/12/17)	\$3,452,309.40
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CIP Projects Levied – Budget Remaining	(4,465,355.61)
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Closed Projects Remaining Balance	(\$1,013,046.21)
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2012-2016 Anticipated Tax Levy Revenue	\$10,014.74
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2017 Anticipated Tax Levy Revenue	\$643,220.55
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Anticipated Closed Project Balance	(\$359,810.92)
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5. BUSINESS**A. Receive Presentation on METRO Blue Line Extension (Bottineau) Light Rail Transit Project**

Administrator Jester introduced Jim Toulouse from the Blue Line Project Office and Dave Filipiak with SRF to give an overview of the Blue Line Extension Project that runs along Bassett Creek in Minneapolis and Golden Valley.

[Commissioner Carlson arrived.]

Mr. Toulouse gave an overview of the METRO Blue Line Extension (Bottineau) Light Rail Transit Project, indicating that the rail line should be operational in 2022 and that it's currently in the engineering phase. Mr. Filipiak stated that the total project length is 13.5 miles, which includes four watershed jurisdictions. For the last year and a half, studies and discussions with watersheds and cities have taken place. In reviewing stormwater best management practices, they are meeting the BCWMC water quality requirements for linear projects as well as peak discharge rates.

Next floodplain impacts and mitigation were presented. Floodplain fill is approximately 20,000 cu. yards and the floodplain mitigation site is within Theodore Wirth Regional Park. Excavation of the mitigation site will include contaminated materials, so disposal will be guided by an MPCA approved response plan.

A few locations along the project corridor were covered in more detail as they impact the creek, including the Plymouth Ave. Bridge where there are multiple constraints and complications. This will be the site of a station, the creek needing realignment here and there is a pedestrian/trail crossing.

The Kewanee Way Outfall was discussed next. This site has many constraints and a future variance request is anticipated. The France Avenue Outfall, on the other hand, has more space to work with and the design can exceed the BCWMC requirements. Here, it's expected the project will expand an existing stormwater pond constructed by the City of Robbinsdale.

It was noted that the Project Office has been in close coordination with the Commission and member cities about balancing floodplain impacts and meeting overall requirements. Some areas will go beyond BCWMC requirements, other areas will not be able to meet BCWMC requirements. It was noted that infiltration of stormwater is not being considered in most areas due to high groundwater and contaminated soils.

The early bid package project components will include: floodplain mitigation site, Theodore Wirth Parkway Bridge, and MCES sanitary sewer work. They expect to submit these components for review/approval at the BCWMC's October 2017 meeting, with construction planned for 2018. The rest of the project is slated to be presented to the Commission in 2018 for 2019 construction.

B. Consider Approval of 90% Design Plans for Plymouth Creek Restoration Project (CIP 2017CR-P)

Commission Engineer Chandler gave an overview of previous meetings and previous reviews of this project. She reported that the issue of a rise in the floodplain elevation on park property was not resolved in the revised 90% plans and would require a variance from the Commission. City of Plymouth staff, Derek Asche, reported that the plans will be changed to remove the structure causing a rise in the floodplain because it would require a Letter of Map Revision (LOMR) by the Department of Natural Resources. Therefore, the variance request to the Commission was withdrawn. Engineer Chandler further explained that comments on the original 90% plans were addressed by the city's consultant, Wenck. She noted the tree survey was revised to reflect consensus reached at the onsite meeting with the landowners. There was further discussion about tree removals. Mr. Asche reassured the Commission that no more trees than necessary would be removed and that no trees are being taken out for the sole purpose of using the material for bank stabilization. He noted the reason that more trees are slated for removal in this updated version of the plans is because access is needed to the site that does not cross private property.

Regarding the upstream half of the project, Commissioner Prom reported he is not comfortable with the disc stop poles that are meant to protect the trees in the disc golf course. He appreciated that the number of poles was reduced to bring down the cost, but he wondered if a net or tall vegetation, like bushes, could be used instead. In response, Mr. Asche reminded the Commission that poles are costly to install, but the long-term benefit is that they require less maintenance. He then offered an alternative idea of planting trees and shrubs close together to control foot traffic. Commissioners generally liked the idea of netting or vegetation rather than stop poles. There was also discussion about re-routing the fairways and holes, either temporarily or permanently. City staff was directed to continue to coordinate with the Parks Department on possible temporary or permanent changes to fairways to help protect trees and the creek during and after construction.

There was also consensus that “stop poles” in the budget and within the plans be changed to “tree protection” for the not to exceed amount of \$42,000.

Administrator Jester added that she would like to see educational signs added to the budget. Commissioner Mueller suggested \$4,000 be allocated for educational signs.

Mr. John Starr, a landowner adjacent to the project, commented that he was surprised that there is no blanket of leaves, only black dirt and a significant amount of erosion within the project area adjacent to his home. He reported that Hennepin County staff visited the site and discussed project components and possible effects of the project with himself and his wife. He was concerned about the grasses to be planted as part of the project because they need direct sunlight, but after finding out that low light vegetation would be used, he felt more comfortable. Mr. Starr also stated concerns about too many trees being removed, that the project is open ended, and that he doesn't fully understand the terms of the conservation agreement. There was discussion about how the project is expected to be maintained by the city into perpetuity but that additional trees aren't expected to be removed in the future unless they pose a threat to property or the creek.

Commissioner Prom stated that special care to consider each and every tree was taken and that the Commission should proceed with the project. Alternate Commissioner McDonald Black questioned the \$42,000 figure, noting that money for “tree protection” seems to be solely to improve the course, not the project.

MOTION: Commissioner Prom moved to approve the 90% plans with the Commission Engineer's comments as revised (removing comments B and D), with allotment for “tree protection” rather than stop poles and adding \$4,000 for educational signs. Staff are also to work with Plymouth Parks Department to consider temporary or permanent fairway realignment. Commissioner Mueller seconded the motion. Upon a vote, the motion carried 8-0 [City of Minneapolis absent from vote].

C. Consider Approval of 90% Design Plans for Four Seasons Mall Area Water Quality Project (Agora Development) (2013 CIP NL-2)

Commission Engineer Chandler introduced the project by letting the commission know that this is the first time the Commission has seen these plans for the CIP portion of the Agora redevelopment. The location of the project is southwest of the intersection of Rockford Road and Highway 169. According to an agreement between the Commission and the developer, Rock Hill Management, the project would need to provide 100 pounds of phosphorus removal above and beyond removals required by the BCWMC for the development project. Engineer Chandler reported that Commission Engineers have been working with the team of developers, engineers, and others. Commission Engineers reviewed stormwater management techniques to be used, including an iron-enhanced sand filter to remove more phosphorus from the stormwater pond to the north of the wetland and reported that, as designed, the whole project will remove 100.76 pounds of phosphorus above and beyond the BCWMC requirements for the development. Commission Engineer Chandler reviewed her comments on the plans including that an Operations and Maintenance Plan needs to be completed that includes a chloride management plan. She reported the estimated costs of the stormwater best management practices are \$1.6 million and that the Commission pledged up to \$848,000 in CIP funds. She recommended conditional approval with the comments noted in the review memo.

Administrator Jester asked how the wetland is removing pollutants. Engineer Chandler explained that micro pools are being created in the wetland to lengthen the flow path and slow down the water into a longer flow path to allow suspended sediments to settle out. In addition, she noted that a better plant community within the wetland will be established that can help mitigate pollutants.

Commissioner Prom asked about maintenance of the wetland and Mr. Gebauer with Solution Blue responded that an agreement will be in place for the city to maintain (dredge) small ponding areas on the west side of the wetland. Commissioner Mueller inquired about plant uptake in the wetland walk and how total phosphorus

removal is calculated. Engineer Chandler explained that plants in the wetland walk will be removed annually. Mr. Gebauer added that plant uptake within the large wetland is not included in the calculations.

Commissioner Carlson asked about the project's timeline. Mr. Patel with Rock Hill Management reported that they are closer to closing on the property and hoped to demo this fall, but they still have title hurdles to overcome. Commissioner Harwell raised the issue of winter maintenance and chloride. Mr. Patel replied that he has been working on reducing chlorides on all properties and he plans to use non-chloride deicers.

Alternate Commissioner McDonald Black asked about per pound phosphorus removal cost compared to other projects. Administrator Jester noted that this project has similar cost per pound removal figures as the original Four Seasons Mall water quality project in terms of the CIP funding provided by BCWMC.

MOTION: Commissioner Prom moved to approve the 90% plans for the CIP portion of the Agora Project with the Commission Engineer's comments. Commissioner Scanlan seconded the motion. Upon a vote, the motion carried 8-0 [City of Minneapolis absent from vote].

D. Consider Approval of 50% Design Plans for Main Stem Erosion Repair Project (CIP 2017CR-M)

Liz Stout with the City of Minneapolis provided a brief overview of the project and introduced Jeff Weiss from Barr Engineering who is designing the project on behalf of the city. Mr. Weiss gave a PowerPoint presentation showing photos of existing conditions along the project reaches and techniques to be used at each section to fix eroding streambanks.

[Prom and Harwell depart. Byrnes and McDonald Black assume voting for Plymouth and Golden Valley, respectively.]

Mr. Wiess noted that the project will not impact floodplain levels. Ms. Stout added that concrete removal and the installation of restoration measures on the Fruen Mill side of the creek will not happen unless it is in conjunction with redevelopment at Fruen Mill. Mr. Weiss also reported that the approximately 115 trees that will be removed are mainly scrubby, un-valuable, volunteer trees. He noted that 60-70 trees and 150-175 shrubs will be replanted.

Commissioner Scanlan asked about the timing of permit approvals. The timeline is as follows: submit permit applications in August, present 90% plans at BCWMC's September board meeting. Assuming the Commission approves those plans, bidding will be in October and November. Construction is slated for December through February.

Alternate Commissioner Byrnes asked if there is a concern with Barr Engineering designing the work rather than another firm designing and Barr Engineering reviewing on behalf of the Commission. Engineer Chandler and Administrator Jester noted that there is not a conflict of interest as the Commission Engineer follows the feasibility study and understands the Commission's goals and priorities better than other firms.

MOTION: Commissioner Scanlan moved to approve the 50% plans for the Main Stem Erosion Repair Project (2017CR-M). Alternate Commissioner McDonald Black seconded the motion. Upon a vote, the motion carried 8-0 [City of Minneapolis absent from vote].

Administrator Jester said she and Ms. Stout will be setting a public meeting or open house to get input from the community before the 90% plans are presented at the September meeting.

E. Consider Adopting 2018 Operating Budget

Administrator Jester explained that the 2018 proposed budget was approved by the Commission in May and was sent to all nine city clerks. She noted that no cities provided comments on the proposed budget by the August 1st deadline and she recommends approval of the budget as presented in May.

MOTION: Alternate Commissioner McDonald Black moved to adopt the 2018 operating budget. Commissioner Scanlan seconded the motion. Upon a vote, the motion carried 8-0 [City of Minneapolis absent from vote].

6. COMMUNICATIONS

- A. Administrator’s Report
 - i. Report on Hennepin County AIS Funding – Hennepin County reimbursed the Commission for \$600 worth of zebra mussel sampler plates.
 - ii. Information on Recruiting Master Water Stewards – Recruitment is ongoing for Master Water Stewards program (worth \$2500 in tuition)
 - iii. Parking Lot and Sidewalk Winter Maintenance Training - 15 people are registered to date
- B. Chair
 - i. No reports.
- C. Commissioners
 - iv. Commissioner Carlson suggested exploring a portable PA system to be used in the meeting room for speakers that are difficult to hear.
- D. TAC Members.
 - i. No reports.
- E. Committees
 - i. No reports.
- F. Legal Counsel
 - i. Mr. Gilchrist reported that there is a group of law firms working with cities on coal tar sealant issues. There is a class action lawsuit to help with clean up costs.
- G. Engineer
 - i. Commission Engineer Chandler attended a meeting on the Minneapolis bacteria study. She noted birds are the largest source of bacteria in the city’s stormwater. The study is on-going.

7. INFORMATION ONLY (Information online only)

- A. CIP Project Updates: Available Online <http://www.bassettcreekwmo.org/projects>
- B. Grant Tracking Summary and Spreadsheet
- C. Freshwater Society Recruiting Master Water Stewards
- D. [Governor Dayton’s 25% by 2025 Clean Water Initiative](#) – Town Hall Meetings. Probably really important for watershed orgs to be involved. Consider attending. Sept. 26, Mpls.
- E. Met Council Water Resources 2016 Year in Review Report
- F. WCA Notice of Decision, Plymouth
- G. WCA Notice of Decision, Golden Valley

8. ADJOURNMENT

The meeting was adjourned at 11:07 a.m.

Signature/Title Date

Signature/Title Date