



Bassett Creek Watershed Management Commission

Regular Meeting
Wednesday November 14, 2018
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 – October 17, 2018 Commission Meeting
 - B. Acceptance of November 2018 Financial Report
 - C. Approval of Payment of Invoices
 - i. Keystone Waters, LLC – October 2018 Administrative Services
 - ii. Keystone Waters, LLC – October 2018 Printing Expenses
 - iii. Barr Engineering – October 2018 Engineering Services
 - iv. Triple D Espresso – October 2018 Meeting Refreshments
 - v. Wenck – October 2018 WOMP Monitoring
 - vi. Lawn Chair Gardener – October 2018 Administrative and Education Services
 - vii. Kennedy Graven – September 2018 Legal Services
 - viii. Metro Blooms – Harrison Neighborhood Project Grant Reimbursement
 - ix. Metropolitan Council – 2018 CAMP Fee
 - x. Lawn Chair Gardener – Reimbursement for Stream Crossing Signs
 - D. Approval to Reimburse Commissioner Scanlan for MAWD Registration
 - E. Approval of Hennepin County GIS User Agreement
 - F. Approval of Ridgedale Executive Apartments Project
5. **BUSINESS**
 - A. Administrative Services Committee Report (20 minutes)
 - i. Review Results of Performance Reviews
 - ii. Consider Recommendations for Soliciting Technical and Legal Services
 - B. Review Report on Lake Leaders Workshop and Determine Next Steps (20 minutes)
 - C. Review Draft Letter to Minnesota Association of Watershed Districts (10 min)
 - D. Consider Approval of Resolution Approving New Hope Local Surface Water Management Plan (10 min)
 - E. Consider Approval of Resolution Approving Plymouth Surface Water Resources Management Plan (10 min)
 - F. Consider Approval of Resolution Approving Minneapolis Water Resources Management Plan (10 min)

6. COMMUNICATIONS (15 minutes)

- A. Administrator's Report
 - i. BWSR Watershed Based Funding Meeting
 - ii. Developing Scope for Further Study in Bassett Creek Valley
- B. Education Consultant
 - i. Chloride Education Efforts
- C. Chair
- D. Commissioners
- E. TAC Members
- F. Committees
 - i. CIP Prioritization Committee
- G. Legal Counsel
- H. Engineer

7. INFORMATION ONLY (Information online only)

- A. Administrative Calendar
- B. CIP Project Updates <http://www.bassettcreekwmo.org/projects>
- C. Grant Tracking Summary and Spreadsheet
- D. Sun Sailor Article: Westwood Lake Improvement Project
- E. WCA Notices of Application (5), Plymouth
- F. WCA Notice of Application, Golden Valley

8. ADJOURNMENT

Upcoming Meetings & Events

- Minnesota Association of Watershed Districts Annual Meeting: November 29 – December 1, Alexandria MN
- BCWMC CIP Prioritization Committee Meeting: Wednesday December 5, 2018, location TBD
- Bassett Creek Watershed Management Commission Meeting: Thursday December 20th, 8:30 a.m., Golden Valley City Hall



Bassett Creek Watershed Management Commission

AGENDA MEMO

Date: November 6, 2018

To: BCWMC Commissioners

From: Laura Jester, Administrator

RE: Background Information for 11/14/18 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 – October 18, 2018 Commission Meeting- **ACTION ITEM with attachment**
 - B. Acceptance of November 2018 Financial Report - **ACTION ITEM with attachment**
 - C. Approval of Payment of Invoices - **ACTION ITEM with attachments (online) – I reviewed the following invoices and recommend approval of payment.**
 - i. Keystone Waters, LLC – October 2018 Administrative Services
 - ii. Keystone Waters, LLC – October 2018 Printing Expenses
 - iii. Barr Engineering – October 2018 Engineering Services
 - iv. Triple D Espresso – October 2018 Meeting Refreshments
 - v. Wenck – October 2018 WOMP Monitoring
 - vi. Lawn Chair Gardener – October 2018 Administrative and Education Services
 - vii. Kennedy Graven – September 2018 Legal Services
 - viii. Metro Blooms – Harrison Neighborhood Project Grant Reimbursement
 - ix. Metropolitan Council – 2018 CAMP Fee
 - x. Lawn Chair Gardener – Reimbursement for Stream Crossing Signs
 - D. Approval to Reimburse Commissioner Scanlan for MAWD Registration – **ACTION ITEM no attachment – Commissioner Scanlan is requesting reimbursement of \$200 for registration costs to attend the annual meeting and conference of the [Minnesota Association of Watershed Districts](#) in Alexandria, MN. There are still funds for Commissioner training in the 2018 Education Budget for this expense. Staff recommends approval.**
 - E. Approval of Hennepin County GIS User Agreement – **ACTION ITEM with attachment – Staff recommends approval of this user agreement allowing the Commission Engineer to access and use pictometry and other geographic mapping data provided by the County. Legal Counsel Gilchrist reviewed the agreement.**
 - F. Approval of Ridgedale Executive Apartments Project – **ACTION ITEM with attachment - The proposed project in the Crane Lake subwatershed in Minnetonka and includes the demolition of an existing one-story building and parking lot and construction of a 78-unit apartment building, parking lot, and stormwater management system resulting in 2.9 acres of disturbance (grading). The proposed project reduces impervious surfaces by 0.09 acres and proposes to use a BMP not included in the MN Stormwater Manual. Staff recommends approval with conditions noted in the attached memo.**

5. BUSINESS

- A. Administrative Services Committee Report (20 minutes)
 - i. Review Results of Performance Reviews– **DISCUSSION ITEM no attachment** – *The Administrative Services Committee met on October 24th to complete performance evaluations for me and Commission Engineer Chandler. Results are considered private data and will be brought to the meeting and presented by Chair de Lambert.*
 - ii. Consider Recommendations for Soliciting Technical and Legal Services – **ACTION ITEM no attachment** – *By State Law, once every two years the Commission must solicit proposals for professional services including technical/engineering and legal. The Commission last solicited proposals in December 2016. The Administrative Services Committee recommends that the Commission solicit “letters of interest” proposals from interested firms rather than complete proposals as the Commission is not seeking to change its current engineering and legal firms.*
- B. Review Report on Lake Leaders Workshop and Determine Next Steps (30 minutes) – **DISCUSSION ITEM with attachment** - *At their meeting in March the Commission approved an [agreement](#) with the Freshwater Society to design, facilitate, and report on the outcomes of a meeting among lake leaders in the watershed to learn about their options for organizing. (This was a recommendation from the AIS/APM Committee last year.) Seventeen leaders representing five different lakes attended the workshop held on October 3rd. The final report from Freshwater is attached. The Commission should discuss if there are next steps that should be considered for future Commission engagement with the lake groups.*
- C. Review Draft Letter to Minnesota Association of Watershed Districts (10 min) – **ACTION ITEM with attachment** – *At the meeting in November the Commission declined to become members of the MAWD at this time and directed me to draft a letter to the MAWD President requesting that the MAWD Board consider granting watershed management organizations full membership in MAWD, including voting rights. A draft letter is attached for the Commission’s consideration and the chair’s signature, if appropriate.*
- D. Consider Approval of Resolution Approving New Hope Local Surface Water Management Plan (10 min) – **ACTION ITEM with attachment** – (Response to comments and actual plan available online) - *At their meeting in October the Commission reviewed the Commission comments on New Hope’s local plan. The city revised the plan according to the Commission’s comments and the plan is consistent with the Bassett Creek Watershed Management Plan and requirements. Staff recommends approval of the attached resolution approving New Hope’s Local Surface Water Management Plan.*
- E. Consider Approval of Resolution Approving Plymouth Surface Water Resources Management Plan (10 min) – **ACTION ITEM with attachment** – (Response to comments and actual plan available online) – *On October 19th, the Commission Engineer submitted comments to the City of Plymouth on their Surface Water Resources Management Plan. The city revised the plan according to the Commission’s comments and the plan is consistent with the Bassett Creek Watershed Management Plan and requirements. Staff recommends approval of the attached resolution approving Plymouth’s Surface Water Resources Management Plan with the caveat that if additional changes are made to the plan to satisfy other watershed requirements, the provisions applicable to the BCWMC remain unchanged.*
- F. Consider Approval of Resolution Approving Minneapolis Water Resources Management Plan (10 min) - **ACTION ITEM with attachment** – (Response to comments and actual plan available online) – *At their meeting in July the Commission reviewed the Commission comments on Minneapolis’ local plan. The city revised the plan according to the Commission’s comments and the plan is consistent with the Bassett Creek Watershed Management Plan and requirements. Staff recommends approval of the attached*

resolution approving the Minneapolis Water Resources Management Plan with the caveat that if additional changes are made to the plan to satisfy other watershed requirements, the provisions applicable to the BCWMC remain unchanged.

6. COMMUNICATIONS (20 minutes)

- A. Administrator's Report – **INFORMATION ITEM with attachment**
 - i. BWSR Watershed Based Funding Meeting
 - ii. Developing Scope for Further Study in Bassett Creek Valley
- B. Education Consultant
 - i. Chloride Education Efforts
- C. Chair
- D. Commissioners
- E. TAC Members
- F. Committees
 - i. CIP Prioritization Committee
- G. Legal Counsel
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7. INFORMATION ONLY (Information online only)

- A. Administrative Calendar
- B. CIP Project Updates <http://www.bassettcreekwmo.org/projects>
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8. ADJOURNMENT

Upcoming Meetings & Events

- Minnesota Association of Watershed Districts Annual Meeting: November 29 – December 1, Alexandria MN
- BCWMC CIP Prioritization Committee Meeting: Wednesday December 5, 2018, 8:30 – 10:00 a.m. location TBD
- Bassett Creek Watershed Management Commission Meeting: Thursday December 20th, 8:30 a.m., Golden Valley City Hall



Item 4A.
BCWMC 11-14-18

Bassett Creek Watershed Management Commission

DRAFT Minutes of Regular Meeting
Thursday, October 18, 2018
8:30 a.m.
Golden Valley City Hall, Golden Valley MN

1. CALL TO ORDER and ROLL CALL

On Thursday, October 18, 2018 at 8:30 a.m. in the Council Conference Room at Golden Valley City Hall (7800 Golden Valley Rd.), Vice Chair Prom called the meeting of the Bassett Creek Watershed Management Commission (BCWMC) to order.

Commissioners and city staff present:

City	Commissioner	Alternate Commissioner	Technical Advisory Committee Members (City Staff)
Crystal	Dave Anderson	<i>Vacant Position</i>	Mark Ray
Golden Valley	Absent	Jane McDonald Black	Jeff Oliver
Medicine Lake	Clint Carlson	Absent	<i>Absent</i>
Minneapolis	Michael Welch	<i>Vacant Position</i>	Liz Stout
Minnetonka	Mike Fruen	<i>Absent</i>	<i>Absent</i>
New Hope	<i>Absent</i>	Pat Crough	Megan Albert
Plymouth	Jim Prom	John Byrnes	Ben Scharenbroich
Robbinsdale	Michael Scanlan	<i>Absent</i>	Richard McCoy and Marta Roser
St. Louis Park	<i>Absent</i>	Patrick Noon	Erick Francis
Administrator	Laura Jester, Keystone Waters		
Engineer	Karen Chandler and Michelle Kimble, Barr Engineering		
Recorder	Absent		
Legal Counsel	Troy Gilchrist, Kennedy & Graven		
Presenters/ Guests/Public	Terrie Christian and Mark Sommerfeld, Plymouth residents		

2. CITIZEN FORUM ON NON-AGENDA ITEMS

Terrie Christian and Mark Sommerfeld, residents in the City of Plymouth, showed photos and described flooding that occurs during large rains along South Shore Drive on the south side of Medicine Lake. They noted the problem goes back 30 years and is getting worse. They reported they had engaged staff and council members with the City of Plymouth and in 2014 were told the problem would be reviewed. Ms. Christian and Mr. Sommerfeld said at the time city staff indicated that a wet detention pond would be needed to alleviate the flooding but that nothing has happened.

Commission Engineer Chandler reported that the Commission’s new hydrologic model could be used to determine where the water is coming from and noted some preliminary investigation indicates water during a 100-year event is coming from Golden Valley and Plymouth, making it an intercommunity drainage issue which is appropriate for the Commission to address and may even be eligible for a CIP project.

Vice Chair Prom thanked Ms. Christian and Mr. Sommerfeld for the information.

3. APPROVAL OF AGENDA

MOTION: Alternate Commissioner McDonald Black moved to approve the agenda. Commissioner Scanlan seconded the motion. Upon a vote, the motion carried 9-0.

4. CONSENT AGENDA

The following items were approved as part of the consent agenda: September 20, 2018 Commission meeting minutes, acceptance of the October 2018 financial report, payment of invoices, approval to send Administrator Jester to Minnesota Association of Watershed Districts Annual meeting, and approval of Sweeney Lake Aeration Study Final Report.

The general and construction account balances reported in the October 2018 Financial Report are as follows:

Checking Account Balance	\$ 546,577.84
TOTAL GENERAL FUND BALANCE	\$ 546,577.84
TOTAL CASH & INVESTMENTS ON-HAND (10/10/18)	\$ 3,181,518.01
CIP Projects Levied – Budget Remaining	(\$4,035,437.41)
Closed Projects Remaining Balance	(\$ 853,919.40)
2012-2016 Anticipated Tax Levy Revenue	\$ 4,537.93
2017 Anticipated Tax Levy Revenue	\$ 3,895.88
Anticipated Closed Project Balance	(\$845,485.59)

MOTION: Alternate Commissioner McDonald Black moved to approve the consent agenda. Commissioner Welch seconded the motion. Upon a vote, the motion carried 9-0.

5. BUSINESS

A. Review Draft Feasibility Study for Bryn Mawr Meadows Water Quality Improvement Project via Ridgedale Drive (BC-5)

Administrator Jester reviewed that at the September 2017 Commission meeting, a proposal to develop a feasibility study for this 2020 CIP project was approved. She noted the Commission Engineer has been in close communication with the Minneapolis Park and Rec Board as this project coincides with a park reconstruction project in 2022. The

draft feasibility study offers three concepts for the Commission to discuss and consider. Commission Engineer Kimble presented the draft feasibility study and the three concepts.

She noted that Bryn Mawr Meadows Park is located in the southeast corner of the Bassett Creek watershed and that much of the drainage area is supposed to flow through a MnDOT pond called Penn Pond, when then flows in a storm sewer under Morgan Ave. She noted there is little or no stormwater treatment and the storm sewer outlets into Bassett Creek. She reported that Penn Pond is undersized and not treating the stormwater runoff from the south of highway 394.

Commissioner Welch added that this area is very low. Commission Engineer Kimble said that some of the park to the north is in a 10-year and 100-year floodplain where soils are fill, clay, and organic. She noted that the park area was likely an old wetland and the groundwater is shallow.

Commission Engineer Kimble noted there is a second unnamed MnDOT pond beneath I-394. This pond does not show up on any of the MnDOT plans and it is not clear how the pond functions with Penn Pond and the downstream storm sewer located along Morgan Avenue. She reported that information gathered on a site visit showed an incoming storm sewer, but no outlet structure. She stated further investigation is required to determine if the pond is providing additional water quality benefits prior to the runoff flowing downstream to Morgan Avenue and Bryn Mawr Meadows Park.

Commission Engineer Kimble reported that the Commission Engineer participated in a design meeting with the Minneapolis Park and Rec Board (MPRB) where they provided input on where stormwater treatment makes sense within the park. She noted there has been considerable stakeholder input with MPRB and a technical stakeholder meeting, but no permits from the Army Corps of Engineers are required for the CIP project. She also reminded commissioners that the park reconstruction project will require stormwater treatment, but the CIP project would provide treatment above and beyond requirements. She also reported that public input has been sought in conjunction with MPRB engagement on the park reconstruction project.

Commission Engineer Kimble presented the proposed concepts, noting they will reduce sediment and phosphorus loading to Bassett Creek and all downstream water bodies. Multiple alternatives were evaluated for removing sediment and improving water quality. The measures considered for potential implementation include the following:

- Diverting runoff from a 15.9-acre residential area west of the park into a stormwater pond (Concept 1 – Northwest Neighborhood Diversion)
- Diverting low flows from Penn Pond discharge and 29.2-acre residential area west of the park into a stormwater pond (Concept 2 – Penn Pond Low Flow Diversion). The engineer considers this option to be the most cost effective.
- Combine Concepts 1 and 2 (Concept 3 – Northwest Neighborhood Diversion and Penn Pond Low Flow Diversion)
- Other concepts considered, but not developed (treatment of full flows, infiltration, iron enhanced or other filtration)

Commission Engineer Kimble reported that infiltration isn't possible due to high groundwater and poor soils and that iron-enhanced infiltration systems were considered but are not a good option for this site. She noted that estimated costs assume excavated soils need to be landfilled and that costs could be reduced by about half if the soils don't need to be landfilled.

TAC Member Stout and Commissioner Welch noted that it's not appropriate for a "first flush" of runoff from MnDOT property and highways to be treated in open water systems within a park. There was discussion about the responsibility of MnDOT to maintain Penn Pond and ensure that it is functioning properly. There was consensus that the Commission shouldn't put CIP funding into a project that addresses a MnDOT issue, if at all possible. Administrator Jester suggested that the Southwest LRT Project may also be working in the area near Penn Pond.

Commissioner Scanlan asked about neighborhood meetings. Administrator Jester and Commissioner Welch commented that there were no impacts to neighbors.

Alternate Commissioner McDonald Black stated that Concept #3 is a good value for cost per pound of pollutant removal when compared with other CIP projects. Jester reiterated that MnDOT needs to maintain their ponds.

MOTION: Alternate Commissioner McDonald Black moved to continue analyzing Concept #3 and engage MnDOT regarding the survey and maintenance of Penn Pond and other adjacent stormwater management features.
Commissioner Scanlan seconded the motion. Upon a vote, the motion carried 9-0.

B. Review Draft Bassett Creek Watershed Sign at Westwood Hills Nature Center

Administrator Jester showed and described components of the latest draft of the BCWMC sign that will be installed at the Westwood Hills Nature Center. She noted the sign is 5.5'x 2.5' and that the audience is both adults and children. Alternate Commissioner McDonald Black commented that a more specific action or stronger language should be used rather than "use less salt." She suggested "avoid salt." Alternate Commissioner Byrnes pointed out that the sign is already fairly wordy. Commissioner Fruen suggested not listing all nine cities, since they can be shown on the map. Changing around the graphics and reducing redundancy was also discussed. Commissioner Welch liked the specifics and didn't think there was too much text.

Commissioner Scanlan brought up that there is an "Adopt a Drain" program that is being implemented metro-wide in 2019. It was agreed the website for that program should be included on the sign.

C. Update on Local Water Management Plan Reviews

- i. Commission Comments on New Hope Local Surface Water Management Plan
- ii. Commission Comments on Minnetonka Water Resources Management Plan

Administrator Jester updated the Commission on the status of the local plan submittals to the Commission and reviews noting that Golden Valley's plan was approved at the September meeting; Minneapolis, New Hope, Minnetonka, and Plymouth had submitted draft plans; that Crystal submitted an initial draft plan (pre-comment period); and that Robbinsdale, Medicine Lake and St. Louis Park had yet to submit draft plans. She reported the Commission is providing comments on plans as quickly as possible and is automatically requesting extensions to the comment period. She noted that if commissioners have any comments on the New Hope and Minnetonka plans in addition to those provided already by staff, they should let her know. Attorney Gilchrist wondered if action was needed to allow for formal submittal of comments between Commission meetings. Administrator Jester responded that a local plan will not be approved except for at a Commission meeting with a formal resolution. There was consensus that commissioners were comfortable with the process so there is no need for a motion.

D. Discuss Invitation to Officially Join Minnesota Association of Watershed Districts

Administrator Jester reported that the Minnesota Association of Watershed Districts (MAWD) is a nonprofit organization that represents the local governments that focus on the management of water on watershed boundaries rather than political boundaries, such as cities and counties. She noted that until now, only watershed districts, and not watershed management organizations, could be members. She noted that MAWD is now inviting WMOs to be members for an initial fee of \$500. She reviewed a fact sheet included with meeting materials which indicates that MAWD members benefit from having an organization that provides a unified voice for watershed management and that works diligently to maximize the availability of the tools and resources that allow members to most effectively and efficiently meet their water management goals. It notes that primary areas of focus include providing education and training opportunities, lobbying and advocacy services, and regular communications.

Administrator Jester noted that her recommendation is not to join MAWD at this time, mostly because WMOs would not be given voting rights at MAWD business meetings. Commissioner Welch encouraged Administrator Jester to advocate for WMOs to get voting rights. He suggested that she write a letter to MAWD on the subject for review at the November Commission meeting. He also noted that a subset organization, Metro MAWD, meets quarterly and that the Commission should be invited to those meetings and consider attending.

6. COMMUNICATIONS

- A. **Administrator's Report** – Administrator Jester noted that her written report was in the meeting packet and added the following points:
- i. Loppet Foundation – Urban Portage Event – Administrator Jester reported that this event that took place on October 13th originally planned to include paddlers moving through several lakes within the Minneapolis Chain of Lakes and then into Wirth Lake, Bassett Creek, Sweeney Lake and Twin Lake – with portaging in between. She reported that several groups were very concerned about AIS being transferred from infested waters into Sweeney and Twin Lakes. She reported a large meeting of all stakeholder groups was held and that plans for a decontamination station before Sweeney Lake were agreed upon. However, she reported that at the last minute, the race course was changed not to include Sweeney or Twin Lakes. She reported that considerable time was spent on this issue including Commission engineering time.
 - ii. Smart Salt Certification Course – Administrator Jester reported that about 15 people attended the course and that it went really well.
 - iii. Workshop for Lake Groups: Options for Organizing – Administrator Jester reported that 17 people from 5 different lakes attended the meeting and that a full report would be provided at the November meeting.
 - iv. Reminder of WEDNESDAY November 14th Commission Meeting
- B. **Chair**
Nothing to report
- C. **Commissioners**
Commissioner Scanlan shared his thoughts about the Smart Salting Training and salting practices in general.
- D. **TAC Members**
 - i. Marta Roser complimented Administrator Jester on her AIS presentation at the Water Resources Conference.
- E. **Committees**
 - i. Administrative Services Committee – Scheduled for October 24th to evaluate staff. Administrator Jester was directed to send the evaluation form to TAC members and commissioners and ask them to send any comments to Chair de Lambert.
 - ii. CIP Prioritization Committee – Meeting scheduled for November 5th
- F. **Legal Counsel**
Attorney Gilchrist noted that the letter to BWSR which he was directed to write at the last meeting was included with "information only" materials. He noted he has not received a reply.
- G. **Engineer** - Engineer Chandler gave the following reports:
 - i. Tunnel Inspection will probably not happen on Oct. 30th due to delays with the Army Corps of Engineers
 - ii. Schaper Pond Carp Survey update: Tagged 18 adults and 51 young of year in Schaper Pond and 133 adults in Sweeney Lake.
 - iii. Sediment Sampling in Jevne Park— It was decided this was not needed, based on review of sediments during wetland delineation.
 - iv. Sweeney Lake Aeration Study — The report included in the consent agenda includes information on alum treatment costs and recommendations on aquatic plant management.

7. INFORMATION ONLY (Information online only)

- A. Administrative Calendar
- B. CIP Project Updates <http://www.bassettcreekwmo.org/projects>
- C. Grant Tracking Summary and Spreadsheet
- D. Sun Sailor Article: DeCola Ponds B & C Improvement Project
- E. Letter from Commission Legal Counsel to BWSR
- F. West Metro Water Alliance Water Links Newsletter

8. ADJOURNMENT

The meeting adjourned at 10:04 a.m.

Signature/Title

Date

**Bassett Creek Watershed Management Commission General Account
 General Fund (Administration) Financial Report
 Fiscal Year: February 1, 2018 through January 31, 2019
 MEETING DATE: November 14, 2018**

**Item 4B.
 BCWMC 11-14-18
 (UNAUDITED)**

BEGINNING BALANCE	10-Oct-18		546,577.84
ADD:			
General Fund Revenue:			
Interest less Bank Fees		67.56	
Permits:			
City of Plymouth	BCWMC 2018-27	1,500.00	
Ridgedale Exec Apart	BCWMC 2018-28	3,500.00	
	BCWMC 2018-27		
	BCWMC 2018-28		
	BCWMC 2018-29		
	BCWMC 2018-30		
Reimbursed Construction Costs		49,629.65	
	Total Revenue and Transfers In		54,697.21
DEDUCT:			
Checks:			
3126 Barr Engineering	Oct Engineering	62,529.65	
3127 Keystone Waters LLC	Oct Administrator	5,481.92	
3128 Kennedy & Graven	Sept Legal	1,592.00	
3129 Lawn Chair Gardener	Oct Admin Serv/Educ	1,191.34	
3130 Triple D Espresso	Nov Meeting	111.75	
3131 Wenck Associates	Oct WOMP	1,481.89	
3132 Metro Blooms	Harrison Proj	13,320.14	
3133 Metropolitan Council	CAMP	4,680.00	
3134 Michael Scanlan	Conf Registration	200.00	
	Total Checks/Deductions		90,588.69
ENDING BALANCE	6-Nov-18		510,686.36

Bassett Creek Watershed Management Commission General Account

General Fund (Administration) Financial Report

(UNAUDITED)

Fiscal Year: February 1, 2018 through January 31, 2019

MEETING DATE: November 14, 2018

	2018 /2019 BUDGET	CURRENT MONTH	YTD 2018 /2019	BALANCE
OTHER GENERAL FUND REVENUE				
ASSESSMENTS TO CITIES	515,000	0.00	515,050.00	(50.00)
PROJECT REVIEW FEES	55,000	5,000.00	46,000.00	9,000.00
WOMP REIMBURSEMENT	5,000	0.00	4,500.00	500.00
METROPOLITAN COUNCIL - LRT		0.00	6,881.45	
METRO BLOOMS - MET COUNCIL GRANT		0.00	38,081.77	
HENNEPIN COUNTY GRANT-AIS PREVENTION GRANT		0.00	18,281.90	
TRANSFERS FROM LONG TERM FUND & CIP	75,000	0.00	0.00	75,000.00
REVENUE TOTAL	650,000	5,000.00	628,795.12	84,450.00
EXPENDITURES				
ENGINEERING & MONITORING				
TECHNICAL SERVICES	125,000	7,611.00	97,138.83	27,861.17
DEV/PROJECT REVIEWS	75,000	3,240.94	37,542.82	37,457.18
NON-FEE/PRELIM REVIEWS	10,000	112.00	18,837.95	(8,837.95)
COMMISSION AND TAC MEETINGS	12,000	1,223.03	8,310.17	3,689.83
SURVEYS & STUDIES	12,000	0.00	0.00	12,000.00
WATER QUALITY/MONITORING	80,700	4,988.09	97,574.24	(16,874.24)
WATER QUANTITY	6,300	437.89	4,292.59	2,007.41
WATERSHED INSPECTIONS -EROSION CONTROL	1,000	0.00	0.00	1,000.00
ANNUAL FLOOD CONTROL INSPECTIONS	48,000	3,435.20	7,239.67	40,760.33
REVIEW MUNICIPAL PLANS	8,000	2,875.00	14,924.70	(6,924.70)
WOMP	20,500	2,149.38	14,731.62	5,768.38
XP-SWMM MODEL UPDATES/REVIEWS	10,000	0.00	8,918.00	1,082.00
APM / AIS WORK	32,000	1,629.50	26,751.24	5,248.76
ENGINEERING & MONITORING TOTAL	440,500	27,702.03	336,261.83	104,238.17
ADMINISTRATION				
ADMINISTRATOR	67,200	5,092.50	47,232.50	19,967.50
LEGAL COSTS	17,000	1,592.00	10,069.40	6,930.60
AUDIT, INSURANCE & BONDING	15,500	0.00	17,648.00	(2,148.00)
FINANCIAL MANAGEMENT	3,200	0.00	0.00	3,200.00
MEETING EXPENSES	1,600	111.75	1,071.12	528.88
ADMINISTRATIVE SERVICES	15,000	725.42	10,890.79	4,109.21
ADMINISTRATION TOTAL	119,500	7,521.67	86,911.81	32,588.19
OUTREACH & EDUCATION				
PUBLICATIONS/ANNUAL REPORT	1,500	0.00	937.00	563.00
WEBSITE	4,200	0.00	221.53	3,978.47
PUBLIC COMMUNICATIONS	2,500	0.00	499.28	2,000.72
EDUCATION AND PUBLIC OUTREACH	22,000	1,055.34	17,080.78	4,919.22
WATERSHED EDUCATION PARTNERSHIPS	13,850	4,680.00	8,530.00	5,320.00
OUTREACH & EDUCATION TOTAL	44,050	5,735.34	27,268.59	16,781.41
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	10,000	0.00	4,668.00	5,332.00
TMDL WORK TOTAL	10,000	0.00	4,668.00	5,332.00
TOTAL EXPENSES	664,050	40,959.04	455,110.23	208,939.77

Cash Balance 10/10/18				
Cash			658,431.28	
	Transfer to purchase investments			
		Total Cash		658,431.28
Investments:				
	Minnesota Municipal Money Market (4M Fund)		2,500,000.00	
	Dividends-prior months		23,086.73	
	Dividends-Current			
		Total Investments		<u>2,523,086.73</u>
		Total Cash & Investments		3,181,518.01
Add:				
	Interest Revenue (Bank Charges)		212.87	
	State of MN - BWSR Grant - DeCola Ponds		34,287.00	
	State of MN - Pollution Control Grant - Northwoods Lake		30,000.00	
		Total Revenue		64,499.87
Less:				
	CIP Projects Levied - Current Expenses - TABLE A		(6,798.20)	
	Proposed & Future CIP Projects to Be Levied - Current Expenses - TABLE B		<u>(27,594.81)</u>	
		Total Current Expenses		<u>(34,393.01)</u>
		Total Cash & Investments On Hand	11/06/18	<u><u>3,211,624.87</u></u>
	Total Cash & Investments On Hand		3,211,624.87	
	CIP Projects Levied - Budget Remaining - TABLE A		<u>(4,028,639.21)</u>	
	Closed Projects Remaining Balance		(817,014.34)	
	2012 - 2016 Anticipated Tax Levy Revenue - TABLE C		4,537.93	
	2017 Anticipated Tax Levy Revenue - TABLE C		3,895.88	
	Anticipated Closed Project Balance		(808,580.53)	
	Proposed & Future CIP Project Amount to be Levied - TABLE B		1,436,000.00	

TABLE A - CIP PROJECTS LEVIED

	Approved Budget	Current Expenses	2018 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	0.00	0.00	162,907.34	827,092.66	
2014						
Schaper Pond Enhance Feasibility/Project (SL-1)(SL-3)	612,000	6,798.20	22,538.58	372,199.98	239,800.02	
Briarwood / Dawnview Nature Area (BC-7)	250,000	0.00	0.00	250,000.00	0.00	
Twin Lake Alum Treatment Project (TW-2)	163,000	0.00	0.00	91,037.82	71,962.18	
2015						
Main Stem 10th to Duluth (CR2015)	1,503,000	0.00	0.00	1,003,746.24	499,253.76	
2016						
Honeywell Pond Expansion (BC-4) ¹	810,930	0.00	725,298.17	750,605.17	60,324.83	
Northwood Lake Pond (NL-1) ²	822,140					
Budget Amendment	611,600	1,433,740	0.00	2,000.00	1,447,143.38	(13,403.38)
2017						
Main Stem Cedar Lk Rd-Dupont (2017CR-M)	2017 Levy 400,000	1,064,472	0.00	0.00	126,376.39	938,095.61
	2018 Levy 664,472					
Plymouth Creek Restoration (2017 CR-P)	2017 Levy 580,930	863,573	0.00	422,683.49	581,400.72	282,172.28
	2018 Levy 282,643					
2018						
Bassett Creek Park & Winnetka Ponds Dredging (BCP-2)	1,000,000	0.00	0.00	61,069.25	938,930.75	
		<u>8,886,715</u>	<u>6,798.20</u>	<u>1,172,520.24</u>	<u>4,858,075.79</u>	<u>4,028,639.21</u>

TABLE B - PROPOSED & FUTURE CIP PROJECTS TO BE LEVIED

	Approved Budget - To Be Levied	Current Expenses	2018 YTD Expenses	INCEPTION To Date Expenses	Remaining Budget	
2019						
Decola Ponds B&C Improvement(BC-2,BC-3,BC-8)	1,031,500	0.00	41,003.40	85,512.56	945,987.44	34,287
Westwood Lake Water Quality Improvement Project(Feasibility)	404,500	1,084.00	38,130.00	40,640.20	363,859.80	
2019 Project Totals	1,436,000	1,084.00	79,133.40	126,152.76	1,309,847.24	
2020						
Bryn Mawr Meadows (BC-5)	0	13,075.00	63,001.24	94,243.56	(94,243.56)	
Jevne Park Stormwater Mgmt Feasibility (ML-21)	0	13,313.31	20,006.93	20,006.93	(20,006.93)	
Crane Lake Improvement Proj (CL-3)	0	122.50	5,162.35	5,162.35	(5,162.35)	
2020 Project Totals	0	26,510.81	88,170.52	119,412.84	(119,412.84)	
Total Proposed & Future CIP Projects to be Levied	1,436,000	27,594.81	167,303.92	245,565.60	1,190,434.40	

BCWMC Construction Account

Fiscal Year: February 1, 2018 through January 31, 2019
November 2018 Financial Report

(UNAUDITED)

TABLE C - TAX LEVY REVENUES

	County Levy	Abatements / Adjustments	Adjusted Levy	Current Received	Year to Date Received	Inception to Date Received	Balance to be Collected	BCWMO Levy
2018 Tax Levy	947,115.00		947,115.00	0.00	719,469.72	719,469.72	227,645.28	947,115.00
2017 Tax Levy	1,303,600.00	(10,691.48)	1,292,908.52	0.00	(2,124.76)	1,289,012.64	3,895.88	1,303,600.00
2016 Tax Levy	1,222,000.00	(9,526.79)	1,212,473.21	0.00	(1,622.13)	1,209,593.43	2,879.78	1,222,000.00
2015 Tax Levy	1,000,000.00	32.19	1,000,032.19	0.00	258.90	999,190.60	841.59	1,000,000.00
2014 Tax Levy	895,000.00	(8,533.75)	886,466.25	0.00	133.88	885,770.40	695.85	895,000.00
2013 Tax Levy	986,000.00	(10,510.52)	975,489.48	0.00	412.43	975,368.77	120.71	986,000.00
				<u>0.00</u>			<u>8,433.81</u>	

OTHER PROJECTS:

	Approved Budget	Current Expenses / (Revenue)	2018 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	690,573.00	1,916.50	8,267.50	329,009.91	
Less: State of MN - DNR Grants			(4,542.00)	(97,542.00)	
	690,573.00	1,916.50	3,725.50	231,467.91	459,105.09
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	375,000.00	0.00	73,461.65	255,619.60	119,380.40
Metro Blooms Harrison Neighborhood CWF Grant Project					
BWSR Grant	134,595.00	13,320.14	13,320.14	21,717.03	112,877.97
				(67,298.00)	(67,298.00)
	134,595.00	13,320.14	13,320.14	(45,580.97)	
Total Other Projects	1,835,168.00	15,236.64	90,507.29	481,973.69	1,151,300.31

CIP Projects Levied

	Total	2013	2013	2014	2014	2014	2015	2016	2016	2017	2017	2018
	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 (CR-M)	Plymouth Creek Restoration (CR-P)	Bassett Cr Pk & Winnetka Ponds Dredging (BCP-2)
Original Budget	8,275,115	196,000	990,000	612,000	250,000	163,000	1,503,000	810,930	822,140	1,064,472	863,573	1,000,000
Added to Budget	611,600								611,600			
Expenditures:												
Feb 2004 - Jan 2014	269,971.68	11,589.50	101,635.49	89,594.90	19,598.09	23,793.65	11,179.35	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	2,835,773.05		14,350.00	213,668.55	230,401.91	66,812.17	841,405.15	11,402.52	1,338,331.79	71,889.91	16,192.00	31,319.05
Feb 2017-Jan 2018	266,299.84		21,055.50	46,397.95			57,299.09		6,869.40	11,814.60	93,113.10	29,750.20
Feb 2018-Jan 2019	1,172,520.24			22,538.58				725,298.17	2,000.00		422,683.49	
Total Expenditures:	4,858,075.79	11,589.50	162,907.34	372,199.98	250,000.00	91,037.82	1,003,746.24	750,605.17	1,447,143.38	126,376.39	581,400.72	61,069.25
Project Balance	4,028,639.21	184,410.50	827,092.66	239,800.02		71,962.18	499,253.76	60,324.83	(13,403.38)	938,095.61	282,172.28	938,930.75

	Total	2013	2013	2014	2014	2014	2015	2016	2016	2017	2017	2018
	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 (CR-M)	Plymouth Creek Restoration (CR-P)	Bassett Cr Pk & Winnetka Ponds Dredging (BCP-2)
Project Totals By Vendor												
Barr Engineering	542,335.51	6,338.95	64,076.04	144,188.03	13,089.74	15,712.00	15,825.00	13,157.98	17,966.00	111,939.39	78,973.13	61,069.25
Kennedy & Graven	11,961.70	1,200.55	2,471.95	993.40	1,038.35	1,058.65	2,223.75	796.00	1,701.45	318.40	159.20	
City of Golden Valley	2,196,878.29			213,668.55	230,401.91	66,812.17	960,697.49	725,298.17				
City of Minneapolis												
City of Plymouth	570,027.74		75,759.35								494,268.39	
City of New Hope	1,415,267.55								1,415,267.55			
City of Crystal												
MPCA	2,500.00									2,500.00		
Blue Water Science	3,900.00					3,900.00						
Metro Blooms												
Misc												
2.5% Admin Transfer	115,205.00	4,050.00	20,600.00	13,350.00	5,470.00	3,555.00	25,000.00	11,353.02	12,208.38	11,618.60	8,000.00	
Transfer to General Fund												
Total Expenditures	4,858,075.79	11,589.50	162,907.34	372,199.98	250,000.00	91,037.82	1,003,746.24	750,605.17	1,447,143.38	126,376.39	581,400.72	61,069.25

	Total	2013	2013	2014	2014	2014	2015	2016	2016	2017	2017	2018
	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 (CR-M)	Plymouth Creek Restoration (CR-P)	Bassett Cr Pk & Winnetka Ponds Dredging (BCP-2)
Levy/Grant Details												
2010 - 2014 Levies	1,881,000	162,000	824,000	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	
2017-2018 Levy	947,115									282,643	664,472	
Construction Fund Balance	703,000	34,000	166,000				503,000					
BWSR Grant- BCWMO	470,000								470,000			
DNR Grants-LT Maint												
Total Levy/Grants	7,526,715	196,000	990,000	534,000	218,800	142,200	1,503,000	810,930	1,203,740	863,573	1,064,472	
BWSR Grants Received									700,000		200,000	
MPCA Grant-CWP (Total \$300,000)									75,000.00			
									19,932.80			

HENNEPIN COUNTY USER AGREEMENT

This Hennepin County User Agreement (“HCUA”) is between Hennepin County, State of Minnesota, (“COUNTY”) and _____, (“USER”).

WITNESSETH:

WHEREAS, COUNTY and Pictometry International Corporation (“Pictometry”) executed the AGREEMENT FOR THE PURCHASE OF A DIGITAL ORTHO AND OBLIQUE AERIAL PHOTOGRAPH AND INFORMATION SYSTEM LICENSE, as amended, for the licensing of oblique images and related systems (the “Pictometry Agreement”);

WHEREAS, COUNTY and The Sanborn Map Company, Inc. (“Sanborn”) executed the AGREEMENT FOR THE PURCHASE OF A DIGITAL ORTHO AND OBLIQUE AERIAL PHOTOGRAPH AND INFORMATION SYSTEM LICENSE, as amended, for the licensing of oblique images and related systems (the “Sanborn Agreement”);

WHEREAS, Pictometry’s hosted software system and Sanborn’s hosted software system (collectively the “System”) collects, organizes, stores, displays and allows access to a collection of oblique images, metadata, data layers, models, reports and other geographic or structural visualizations or embodiments (collectively “Delivered Content”);

WHEREAS, by the terms of the Pictometry Agreement, Pictometry granted COUNTY the right to allow duly authorized political units or subdivisions located totally or substantially within the boundaries of Hennepin County, including cities or townships, to access the System and Pictometry Delivered Content.

WHEREAS, by the terms of the Sanborn Agreement, Sanborn granted COUNTY the right to allow duly authorized political units or subdivisions located totally or substantially within the boundaries of Hennepin County, including cities or townships, to access the System and Sanborn Delivered Content.

NOW, THEREFORE, in consideration of the mutual undertakings and agreements set forth herein, COUNTY and USER agree as follows:

1. Term.

This Agreement shall commence upon September 1, 2018 and shall continue for one (1) year unless terminated earlier in accordance with the provisions of this Agreement. Unless COUNTY otherwise notifies USER within thirty (30) days prior to the expiration of a term of this Agreement, this Agreement shall then

automatically renew for another two (2) year term. However, in no event shall this Agreement continue beyond August 31, 2021.

2. Licenses.

Subject to the provisions herein, COUNTY grants USER a limited, revocable, non-exclusive, royalty-free license to access and use the System and Delivered Content exclusively for the performance of USER's public responsibilities. The rights granted in this paragraph may be referred to as the "License". For clarification and not limitation, the License permits access or use by USER's employees and contracted personnel performing USER's public responsibilities (said employees or contracted personnel may be referred to as "Eligible Personnel" and, as applicable throughout this HCUA, the term "USER" shall include and apply to Eligible Personnel).

USER is solely responsible for implementing the technology necessary to access the System, to retrieve Delivered Content and to use, control and safeguard the Delivered Content pursuant to the obligations set forth herein.

Except as expressly set forth herein, USER shall acquire no right, title or interest in or to the System or Delivered Content.

USER shall strictly comply with the following:

- (i) USER shall access the System and access, use, control and safeguard Delivered Content in compliance with the terms of this HCUA;
- (ii) USER shall only access the System and Delivered content by and through a computer workstation or server (i) that is owned or leased by USER; (ii) that is under the exclusive control of USER; and (iii) that is exclusively available for use by USER (an "Authorized System");
- (iii) USER shall not share or distribute System authentication information, usernames or passwords ("Authentication") with any unauthorized third-party;
- (iv) USER shall secure and safeguard the System, Authentication and Delivered Content in USER's possession or control in the same manner that USER secures and safeguards its own critical or confidential systems, software, data, passwords or other information. If there is a conflict between USER's security requirements and COUNTY's security requirements, COUNTY's security requirements shall prevail;

(v) USER shall not access the Delivered Content by any means other than the System including but not limited to scraping, robots, wanderers, crawlers, spiders, etc (as those terms are commonly used and understood in the information technology industry);

(vi) USER shall be solely responsible for accessing, using and otherwise supporting the System including but not limited to paying all costs, expenses and communication charges associated with the same;

(vii) USER shall use, control and safeguard the Delivered Content in compliance with the terms of this HCUA and with applicable law including but not limited to the Minnesota Government Data Practices Act, Minnesota Statutes, chapter 13;

(viii) Except as expressly provided herein, USER shall not use, disclose, sell, market, distribute or otherwise make available the Delivered Content during the term of this HCUA or at any time thereafter except as required by law or with COUNTY's express written consent;

(ix) USER shall not allow third-party access to Delivered Content except as follows:

(a) USER may provide Delivered Content to individual members of the public requesting access to data pursuant to the Minnesota Government Data Practices Act subject to the following:

- (1) USER may permit inspection of Delivered Content on Authorized Systems;
- (2) USER may provide paper copies of Delivered Content;
- and
- (3) USER may provide .pdf or .jpg images of Delivered Content provided that USER may not assemble more than three (3) contiguous images into a single image.

(b) USER may provide Delivered Content to an entity performing services for USER (said entity, including but not limited to the entity's employees or contracted personnel, may be referred to as "Project Participant(s)") subject to the following:

- (1) Access and use of the Delivered Content by Project Participants shall be solely for the purpose of performance of tasks or preparation of materials for USER;

- (2) Project Participants shall be identified in writing to Pictometry and Sanborn, respectively, prior to being granted access to the Delivered Content;
- (3) Unless Pictometry and/or Sanborn expressly waives such requirement, Project Participants shall enter a written agreement with Pictometry and/or Sanborn authorizing such access;
- (4) Project Participants shall access and use Delivered Content under USER's supervision;
- (5) USER may provide paper copies of Delivered Content to Project Participants; and
- (6) USER may provide static images of Delivered Content to Project Participants provided that the static image does not include any metadata.

Unless expressly authorized by the provisions herein, all other third-party access to Delivered Content is prohibited;

(x) USER shall not remove, delete, alter or otherwise modify any copyright messages on or associated with the System or Delivered Content, including but not limited to copyright notices from COUNTY or Pictometry or Sanborn.

3. Disclaimers and Limitations of Liability.

COUNTY, BY AND THROUGH PICTOMETRY AND/OR SANBORN, IS PROVIDING THE SYSTEM AND DELIVERED CONTENT ON AN AS-IS BASIS WITH NO SUPPORT WHATSOEVER. THERE IS NO WARRANTY OF MERCHANTABILITY, NO WARRANTY OF FITNESS FOR PARTICULAR USE, NO WARRANTY OF NON-INFRINGEMENT, NO WARRANTY REGARDING THE USE OF THE INFORMATION OR THE RESULTS THEREOF AND NO OTHER WARRANTY OF ANY KIND, EXPRESS OR IMPLIED.

WITHOUT LIMITING THE FOREGOING, COUNTY DOES NOT WARRANT THE PERFORMANCE OF THE SYSTEM OR RELATED AND NECESSARY COMMUNICATIONS OR CONNECTIONS TO THE SYSTEM, THAT THE SYSTEM WILL BE UNINTERRUPTED OR ERROR FREE, THAT DEFECTS WILL BE CORRECTED, OR THAT THE SYSTEM IS FREE OF HARMFUL CODE. USER fully understands and agrees that (i) the System is subject to errors, omissions, delays or interruptions; and (ii) COUNTY, by and through Pictometry and/or Sanborn, may modify or change the System in a manner that may impact or restrict USER's access. In any such event, the COUNTY will not be liable for the cost of such changes, damages or other liability which may be sustained by USER.

WITHOUT LIMITING THE FOREGOING, COUNTY DOES NOT WARRANT THE ACCURACY, COMPLETENESS OR TIMELINESS OF THE DELIVERED CONTENT NOR DOES COUNTY WARRANT THAT DEFECTS IN THE SAME WILL BE CORRECTED. USER fully understands and agrees that (i) the Delivered Content is provided by third-parties, including but not limited to Pictometry and/or Sanborn; and (ii) COUNTY does not directly control and is not responsible for the Delivered Content. USER fully understands and agrees that the Delivered Content is subject to errors, omissions, delay or interruptions, including but not limited to (i) delays, errors or omissions in the receipt of the Delivered Content, (ii) changes, adjustments, corrections or modifications of the Delivered Content and (iii) that COUNTY may make modifications, changes and/or adjustments to the Delivered Content at any time and without notice to USER.

At the point of initial contact with any Delivered Content provided to the public, USER shall include the disclaimer set forth in the preceding three paragraphs, in the same or substantially similar format with necessary adjustments for accuracy and applicability, including but not limited to defining "Delivered Content".

IN NO EVENT SHALL COUNTY BE LIABLE FOR ACTUAL, DIRECT, INDIRECT, SPECIAL, INCIDENTAL, CONSEQUENTIAL DAMAGES OR LOSS OF PROFIT, LOSS OF BUSINESS OR ANY OTHER FINANCIAL LOSS OR ANY OTHER DAMAGES EVEN IF THE COUNTY HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGE. COUNTY'S SOLE LIABILITY AND USER'S SOLE AND EXCLUSIVE REMEDY FOR ANY DAMAGES RELATED TO THIS HCUA OR FOR ANY BREACH OF THIS HCUA, INCLUDING BUT NOT LIMITED TO LIABILITY FOR SYSTEM OR DELIVERED CONTENT NONPERFORMANCE, ERRORS OR OMISSIONS, SHALL BE LIMITED TO RESTORING OR CORRECTING THE SYSTEM OR DELIVERED CONTENT TO THE EXTENT AND DEGREE COUNTY IS CAPABLE OF PERFORMING THE SAME AND AS IS REASONABLY POSSIBLE UNDER THE PERTINENT CIRCUMSTANCES.

4. Royalty Free License.

The License is royalty free. COUNTY is not providing any implementation, maintenance, support or other services hereunder and, as such, USER shall not pay COUNTY any amount for services pursuant to this HCUA.

5. Compliance with Applicable Law and Data.

USER and COUNTY shall comply with all applicable federal, state and local statutes, regulations, rules and ordinances currently in force or later enacted.

Subject to the provisions set forth in Section 2 above, the parties, their officers, agents, owners, partners, employees, volunteers and subcontractors shall

abide by the provisions of the Minnesota Government Data Practices Act, Minnesota Statutes, chapter 13 (MGDPA) and all other applicable state and federal laws, rules, regulations and orders relating to data privacy or confidentiality. USER shall promptly notify COUNTY if USER becomes aware of any potential claims, or facts giving rise to such claims, under the MGDPA.

6. Termination.

If COUNTY reasonably believes that USER is not complying with any terms of this HCUA, including but not limited to the license or related limitations, COUNTY may immediately terminate this HCUA and thereby terminate the License and USER's access to and use of the System and Delivered Content.

Either party may terminate this HCUA without cause at any time by upon thirty (30) day written notice to the other party.

Notwithstanding the term set forth herein, the parties expressly agree that COUNTY may (i) terminate the license granted herein for either the Pictometry Delivered Content or the Sanborn Delivered Content; or (ii) terminate this HCUA upon the expiration or termination, for any reason, of either or both the Pictometry Agreement and/or the Sanborn Agreement.

7. Liability.

USER agrees to defend, indemnify, and hold harmless the COUNTY, their officials, officers, agents, volunteers and employees from any liability, claims, causes of action, judgments, damages, losses, costs, or expenses, including reasonable attorney's fees, resulting directly or indirectly from USER's use of or access to the System or Delivered Content, from USER's failure to comply with the terms of this HCUA or from failure to perform any duties and obligations required by applicable law and/or this HCUA.

As applicable, a party's liability shall be governed by the provisions of applicable law including but not limited to the Municipal Tort Claims Act, Minnesota Statutes Chapter 466, and other applicable law. The statutory limits of liability for some or all of the parties may not be added together or stacked to increase the maximum amount of liability for any party. This paragraph shall not be construed to bar legal remedies one party may have for the other party's failure to fulfill its obligations under this HCUA. Nothing in this HCUA constitutes a waiver by the USER or COUNTY of any statutory or common law defenses, immunities, or limits on liability.

8. Miscellaneous Provisions.

The Hennepin County Geographic Information Systems Manager, or his/her designee, shall manage this HCUA on behalf of the COUNTY and perform the other duties expressly set forth herein.

Except as directed by COUNTY, USER shall not use the term “Hennepin County”, or any derivative thereof in USER’s advertising, external facing communication and/or marketing, including but not limited to advertisements of any type or form, promotional ads/literature, client lists and/or any other form of outreach, without the written approval of the Hennepin County Public Affairs/Communications Department, or their designees.

USER and COUNTY intend that this HCUA will not benefit or create any right or cause of action in or on behalf of any person or entity other than the parties.

The laws of the state of Minnesota shall govern all questions and interpretations concerning the validity and construction of this HCUA and the legal relations between the parties and their performance.

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COUNTY AUTHORIZATION

Reviewed by the County
Attorney's Office

Date: _____

COUNTY OF HENNEPIN
STATE OF MINNESOTA

By: _____
Hennepin County Administrator

USER warrants that the person who executed this Agreement is authorized to do so on behalf of USER as required by applicable articles, bylaws, resolutions or ordinances.*

USER

By: _____

Printed Name: _____

Printed Title: _____

Date: _____

*USER shall submit applicable documentation (articles, bylaws, resolutions or ordinances) that confirms the signatory's delegation of authority. This documentation shall be submitted at the time USER returns the Agreement to COUNTY. Documentation is not required for a sole proprietorship.



Memorandum

To: Bassett Creek Watershed Management Commission (BCWMC)
From: Barr Engineering Co.
Subject: Item 4F – Ridgedale Executive Apartments – Minnetonka, MN
BCWMC November 14, 2018 Meeting Agenda
Date: November 6, 2018
Project: 23270051 2018 2173

4F Ridgedale Executive Apartments – Minnetonka, MN BCWMC 2018-28

Summary:

Proposed Work: Redevelopment of commercial parking lot into a 78-unit apartment complex

Basis for Review at Commission Meeting: Use of alternative best management practices not included in the Minnesota Stormwater Manual (hydrodynamic separators and membrane filters)

Impervious Surface Area: Decrease 0.09 acres

Recommendation: Conditional Approval

General Background & Comments

The proposed project is located in the Crane Lake subwatershed in Minnetonka, MN. The project includes the demolition of an existing one-story building and existing parking lot and construction of a 78-unit apartment building, parking lot, stormwater management system, and other associated site work, resulting in 2.9 acres of disturbance (grading). The proposed project reduces impervious surfaces by 0.09 acres, from 2.25 acres (existing) to 2.16 acres (proposed), and creates 1.86 acres of reconstructed impervious surfaces.

Floodplain

The proposed project does not involve work in the BCWMC 100-year floodplain.

Wetlands

The proposed project appears to involve work in or adjacent to wetlands. The City of Minnetonka is the local government unit (LGU) responsible for administering the Wetland Conservation Act, therefore BCWMC wetland review is not required.

Stormwater Management

The August 2017 BCWMC Requirements for Improvements and Development Proposals (Requirements) document states that projects that contain more than one (1) acre of new or fully reconstructed impervious area must manage stormwater such that peak flow rates 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

amounts and using a nested 24-hour rainfall distribution. As discussed below, the proposed peak flows meet the BCWMC requirement.

In existing conditions and proposed conditions, stormwater runoff flows generally to the south and west to the existing stormwater pond through existing catch basins and storm sewer. In proposed conditions, the best management practices (BMPs) provide negligible detention, however the reduction of impervious area slightly reduces runoff rates in proposed conditions. **Table 1** summarizes the existing and proposed peak discharges from the project area to the existing stormwater pond.

Table 1: Summary of Existing and Proposed Peak Discharge Rates

Storm Event	Existing Peak Discharge (cfs)	Proposed Peak Discharge (cfs)
2-year	11.9	11.7
10-year	18.3	17.9
100-year	33.4	32.9

Water Quality Management

The BCWMC Requirements document states that projects that contain more than one (1) acre of new or fully reconstructed impervious area must treat stormwater in accordance with the BCWMC water quality performance goals. If the BCWMC water quality performance goal is not feasible and/or is not allowed for a proposed project, then the project proposer must implement BCWMC flexible treatment options. As shown below, the proposed stormwater management system meets BCWMC water quality requirements.

The proposed project results in 1.86 acres of new/fully reconstructed impervious surfaces. Flexible Treatment Option (FTO) #2 was selected for the proposed project due to the presence of tight clay soils that are not conducive to infiltration. FTO #2 requires that the project provide 60% removal of total phosphorus (TP). The proposed SciClone Hydrodynamic Separators and Kraken Membrane Filters are proprietary systems, therefore the applicant provided third-party laboratory testing and field study results of expected TP removal efficiencies for these BMPs, and then used the "other" feature in the minimal impact design standards (MIDS) calculator to quantify the overall TP removals for the proposed project.

Table 2 summarizes the annual TP loading and TP removals for the proposed BMPs provided by the applicant. Modifications required by the comments may reduce the anticipated TP removals for the BMPs, but it is expected that the overall project will continue to meet the BCWMC water quality requirements.

Table 2: Summary of TP Removal and TP Removal Efficiency for Proposed BMPs

BMP	TP Loading (lbs/year)	TP Removal (lbs/year)	Percent Removal (%)
SciClone Hydrodynamic Separator and Kraken Membrane Filter (Subwatershed 1A)	1.34	1.13	84
SciClone Hydrodynamic Separator and Kraken Membrane Filter (Subwatershed 1B)	1.88	1.58	84
Kraken Membrane Filter (Subwatershed 1C)	0.31	0.22	72
Disconnected Impervious Surface (Subwatershed 1D)	0.41	0.06	14
Kraken Membrane Filter (Subwatershed 1F)	0.20	0.14	72
Total	4.12	3.14	76

Erosion and Sediment Control

The proposed project involves more than 200 cubic yards of cut or fill and/or more than 10,000 square feet of land disturbance, therefore the proposed project must meet the BCWMC erosion and sediment control requirements. Proposed temporary erosion and sediment control features include silt fence, biorolls, inlet protection, and rock construction entrances. Permanent erosion and sediment control features include stabilization with seed, mulch, disc anchoring, erosion control blankets, and sod.

Recommendation





Conditional approval based on the following comments:

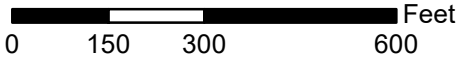
1. The MIDS calculator must be modified as follows to demonstrate that the proposed project meets BCWMC water quality goals (or flexible treatment options):
 - a. The existing and proposed drainage divides shown on Sheet DA1 and Sheet DA2, respectively, differ for the existing two story building to the south of the proposed redevelopment. Clarify whether the roof drainage routing will be modified as part of the proposed project or revise the drainage divides to match between existing and proposed conditions at this location.
 - b. The submitted MIDS calculator file includes a “stormwater disconnection” BMP, but the total site areas in the MIDS calculator file do not include the areas from the “stormwater disconnection” watersheds shown in drawing DA2. These areas must be included in the total site area or an explanation must be provided as to why these areas were not included.
 - c. The design flows and filter area loading rates for the proposed SciClone Hydrodynamic Separators and Kraken Membrane Filters must be provided to confirm the assumed TP removal efficiencies.
2. The outlet pipe to the existing stormwater pond must be extended to at or below the normal water level of the pond. Alternatively, adequate erosion protection and/or armoring must be provided between the outlet and the normal water level of the pond to limit erosion and channelization.
3. Outlet velocities at FES 1 exceed 8 feet per second when the pipe is flowing full. Modifications must be made to reduce outlet velocities to below 8 feet per second.
4. Sheet SW1.3, Section *Temporary Erosion Control Seeding, Mulching & Blanket: Mulch* must require that temporary or permanent mulch be uniformly applied by mechanical or hydraulic means and stabilized by disc-anchoring or the use of hydraulic soil stabilizers.
5. A maintenance agreement must be established between the owner and the City of Minnetonka for the SciClone Hydrodynamic Separators and Kraken Membrane Filters. The maintenance agreement must include a plan for cleaning and/or replacement of the filter media.
6. Revised plans (paper copy and final electronic files) and supporting documentation must be provided to the BCWMC Engineer for final review and approval.



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Barr Footer: ArcGIS 10.6, 2018-11-05 18:24 File: I:\Client\BassettCreek\gis\maps\Permits\Maps-2018\2018-28.mxd User: JPP

-  Project Location
-  Bassett Creek
-  WMC Boundary
-  Major Subwatershed



BCWMC #2018-28
 RIDGEDALE EXECUTIVE
 APARTMENTS
 Minnetonka, MN

LOCATION MAP

Bassett Creek Watershed Lake Leaders Workshop

October 3, 2018 Workshop Summary

Prepared by

FRESHWATER

2424 Territorial Road Suite B | Saint Paul, MN 55114 | freshwater.org

INTRODUCTION

On October 3, 2018, neighbors and leaders from five lake groups in the Bassett Creek watershed gathered for a workshop to review and discuss options available to further organize. The workshop was commissioned by Bassett Creek Watershed Management Commission (BCWMC) in the recognition that community members play a vital role in caring for the health of local water bodies, and that further organizing can help groups increase the efficiency and effectiveness of limited volunteer time and resources to achieve water resource goals.

Representatives from the following lakes were in the room:

- 💧 Lost Lake
- 💧 Medicine Lake
- 💧 Northwood Lake
- 💧 Parkers Lake
- 💧 Sweeney Lake

Each of these groups is at a different stage in their development, has different issues they're working to address, and different opportunities available to them. For that reason, three case study examples were provided to help each group understand options to further organize on different scales, and with different levels of formality in collaborations. Those case studies were:

- 💧 **Lake Association:** Long Lake Waters Association (represented by Cassy Ordway)
- 💧 **Coalition of Lake Associations:** Coalition for Minnehaha Creek Waters/Minnesota Coalition of Lake Associations (represented by Joe Shneider)
- 💧 **Lake Improvement District:** Chisago Chain of Lakes Improvement District (represented by Jerry Spetzman)

Following the presentations, the groups were led through a facilitated discussion by Freshwater to explore relevance of the different options, opportunities of interest, and next steps for each of the groups. Participants took their own notes. Each note was transcribed by Freshwater and distilled into major themes using qualitative analysis. The summary of the conversations is included in the following pages.

WORKSHOP OUTCOMES BY LAKE GROUP

Lost Lake

Lost Lake participants noted that their group is small, and their focus narrow. Fittingly, the funding required for further organizing, as well as the involvement of dedicated volunteers, stood out to Lost Lake participants as they considered what further organizing would look like. Participants also noted that, should they look to make changes, "wheels" have already been invented and a network to tap into already exists.

Perhaps the biggest challenge for Lost Lake leaders coming out of this meeting is in identifying fully the role they can play to improve Lost Lake and support others in the watershed. Increased communication with other lake groups and the BCWMC is on the top of their list for what to work on, something already begun in the workshop by members visiting the tables of other groups. Specifically, the group identified the following next steps:

- 💧 Develop a Facebook page for the lake
- 💧 Share challenges, opportunities, and ideas with Sweeney Lake
- 💧 Interact with BCWMC more
- 💧 Interact with Northwood Lake more
- 💧 Pass on what was learned in the workshop to members of the lake association

Medicine Lake

The Association for Medicine Lake Area Citizens (AMLAC) is currently focused on two major issues—AIS and chlorides—both of which the group feels urgency about along with a need to maintain momentum. As they reflected on the options available, conversation centered on the group’s goals, how different structures supported those goals, the challenges they’re currently experiencing, and the challenges they see with the different organizing options. The narrow focus of the organization’s two issues brought up a conversation about the potential for success in combating those two issues and if there are examples of lake groups who can be a case study.

The group also surfaced a number of questions that need to be answered. Those questions include:

- 💧 What goals should we set?
- 💧 What structure will best address these issues?
- 💧 Is there a formal structure needed (such as a 501c3)? What is the cost/benefit of setting one up?
- 💧 What is currently available from BCWMC for Medicine Lake, and what is the value add for these options?
- 💧 Is Hennepin County open to more Lake Improvement District (LIDs) forming?
- 💧 How expansive should membership be? Just Medicine Lake? Just Plymouth? What makes sense?

AMLAC participants identified the following steps to begin integrating takeaways from the workshop:

- 💧 Cultivate an AIS 5-year plan
- 💧 Develop a social media presence

Northwood Lake

The Friends of Northwood Lake (FNL) group is interested in having a larger seat at the table when participating in decisions affecting their watershed. They specifically see an opportunity to gain momentum and visibility by working with Lost Lake as a partner to have a bigger influence with the City of Plymouth as they have mutual interests and goals.

Questions that came out of the conversation included:

- 💧 How would a Coalition of Lake Associations (COLA) interact with and influence different levels of government?
- 💧 What is the difference between what a COLA could offer and what is offered by BCWMC? What would the benefits be?
- 💧 How would a LID benefit an individual lake association?

FNL participants identified the following steps to begin integrating takeaways from the workshop:

- 💧 Increase the number of non-lakeshore members
- 💧 Enhance relationship with BCWMC
- 💧 Identify ways to partner with Lost Lake
- 💧 Work with the City of Plymouth

Sweeney Lake

The Sweeney Lake Association (SLA) sees itself as an outlier in the lake groups because they feel their lake is different enough that goals of their own don't entirely align with other lake groups. For this reason, along with present and pressing concerns the group is trying to address, their conversation focused on organizing further to have more influence (specifically with their city). In addition to growing political clout, the group also noted that further organizing would bring the benefit of increased access to funding and opportunities to learn from others. However, balancing that growth with the added work that would come from a COLA or LID was something the group was wary of throughout the meeting.

Questions that came out of the conversation included:

- 💧 How can changes to organization structure change SLA's ability to influence decision makers?
- 💧 Will operating as a LID give us more negotiating power with City of Golden Valley?
- 💧 What is the full extent of power of a LID?
- 💧 Would OUR voice be heard if we organized with other lake groups?

SLA participants identified the following steps to begin integrating takeaways from the workshop:

- 💧 Develop relationships with other lake groups to align goals and find commonality
- 💧 Implement a plan to help regulate water levels
- 💧 Further develop AIS control, enforcement, decontamination stations, launch restrictions, etc.
- 💧 Build membership outside of lakeshore

Parkers Lake

The Parkers Lake group is currently unorganized, and after weighing some ways of establishing themselves, they focused on how to organize as a lake association and develop a direction for the group before entering into a more complicated organizational group with other lakes. Through this discussion many opportunities and needs arose. The most immediate need seemed to be building the group's base through recruiting volunteers to participate in the organizational structure and plan. This is a challenge based on the number of lakeshore owners, so targeting recruitment to reach lake users as well as shore owners will be important.

The group came away with a list of needs and hopes for their future organizing. They did wonder if the city would be willing to be a part of sponsoring the organization.

Participants identified the following steps to begin integrating takeaways from the workshop:

- 💧 Write up a history
- 💧 Increase recruitment through flyers, in person conversations with neighbors, Next Door, and other avenues
- 💧 Define mission of group and goals
- 💧 Develop a method for funding the group
- 💧 Establish a group by December 31st
- 💧 Investigate if the city would be interested in helping sponsor an official Parkers Lake group

NEXT STEPS

This meeting touched on a need in the community to not only help groups think about how to strategically grow, but to connect with each other. Though case study examples were brought in, the breadth of conversation in reporting out from small group conversation—mixed with participants literally running over to other tables to ask questions and brainstorm next steps—demonstrated that the groups had a lot to learn from (and desire to work with) each other. These inter-group interactions indicate that further opportunities for the groups to get together should be hosted. This does not necessarily mean that the participants would most readily be interested in a LID or COLA, but that even informal opportunities to build relationships and work together would be beneficial.

Beyond offering ways for further, informal collaboration, BCWMC could look at offering specific opportunities to help groups advance goals in common, as well as address some of the questions included in the previous section of this report.

- 💧 **Political clout:** An attractive benefit of further organizing for many participants was that of increased political clout, visibility, and influence. How to strategically grow that influence and build relationships with decision-makers—even without further organizing—would be a beneficial area of training, as would a deeper dive into the varying levels of water governance. Additionally, the BCWMC has a unique opportunity to serve as a convener, and could work with lake groups and cities to identify ways to support constructive interactions that help all parties pursue and meet water resource goals.
- 💧 **Current relationships:** It would be useful to groups to clarify the role of the BCWMC and how that could fit into the picture of a COLA or LID. Several of the comments referenced a desire to better understand what the watershed commission does and how that relates to the goals of the lake groups. This will help inform current interactions, as well as help several groups better weigh the benefits and costs of considering a LID or COLA.
- 💧 **Outreach and education:** Expanding membership and building environmental awareness and ethic—especially beyond the lakeshore—was mentioned by the groups multiple times throughout the night. It would be beneficial to present and train group members in possible strategies for how exactly the groups could do that, from messaging to working with Master Water Stewards.
- 💧 **Access to resources.** In addition to increasing the volunteer base, several groups also commented on the benefit of increased funding. Cost sharing, partnering on grants, and other opportunities are available with or without further organizing, and could be used to strategically advance common goals.

No matter what, it is clear that the groups want to continue to build their own capacities while working with others. The conversations that were started in this meeting are sure to continue, and the energy in the room at the end of the event bodes well for the success of future endeavors.



Bassett Creek Watershed Management Commission

November XX, 2018

Ms. Ruth Schaefer President
Minnesota Association of Watershed Districts
101 10th St E #613
St. Paul MN 55101

Dear President Schaefer;

The Bassett Creek Watershed Management Commission (BCWMC) (formally a watershed management organization (WMO) established in accordance with Minnesota Statutes, Section 103B.211) has been working since 1969 in the Twin Cities Metro Area to reduce flooding and improve and protect surface waters in the Bassett Creek Watershed. As you're aware, WMOs have many of the same goals and perform much of the same type of work as watershed districts, but have not been members of the Minnesota Association of Watershed Districts (MAWD) to date.

The BCWMC appreciates now being invited to be a member of the MAWD. However, we understand the current membership being offered is limited and does not include a right to vote within the organization. The BCWMC respectfully requests that the MAWD Board consider amending its bylaws to allow WMOs to be full voting members of MAWD.

The BCWMC would like the ability to participate as a full MAWD member; to have a voice in offering potential resolutions, and a vote when MAWD sets legislative priorities or makes policy decisions. Without the ability to vote, limited membership in MAWD has little appeal as our Commissioners and staff already have access to MAWD trainings, tours, and the annual conference, even as non-members.

Thank you for considering this request. Please contact our Administrator, Laura Jester, at 952-270-1990 or laura.jester@keystonewaters.com if you have any questions.

Sincerely,

Jim de Lambert
Chair

CC: Emily Javens, MAWD Executive Director
BCWMC Commissioners and Alternate Commissioners

BASSETT CREEK WATERSHED MANAGEMENT COMMISSION
RESOLUTION NO. 18-07

A RESOLUTION APPROVING THE LOCAL SURFACE WATER
MANAGEMENT PLAN PREPARED BY THE CITY OF NEW HOPE

WHEREAS, the Bassett Creek Watershed Management Commission (“Commission”) is a joint powers watershed management organization established in accordance with Minnesota Statutes, Section 103B.211; and

WHEREAS, the Commission has prepared a water management plan, which has been reviewed by all appropriate state and local agencies and has been approved by the Board of Water and Soil Resources; and

WHEREAS, the Commission’s water management plan and Minnesota Statutes require that local water management plans be prepared in accordance with Minnesota Statutes, Section 103B.235 and Minnesota Rules, Chapter 8410; and

WHEREAS, the City of New Hope (“City”) has prepared and submitted to the Commission the City’s local water management plan; and

WHEREAS, Minnesota Statutes, Section 103B.235, subdivision 3 authorizes the Commission to review and approve local water management plans and to take other actions necessary to assure that the local plan is in conformance with the Commission’s plan and the standards set forth therein; and

WHEREAS, the Commission reviewed the City’s plan, considered the comments provided by the Metropolitan Council regarding the plan, and has determined the plan was prepared in accordance with the requirements of Minnesota Statutes, Section 103B.235 and Minnesota Rules, Parts 8410.0160 and 8410.0170, it contains the requirements for a local plan, and is consistent with the Commission’s water management plan.

NOW, THEREFORE, BE IT RESOLVED, by the Bassett Creek Watershed Management Commission, as follows:

1. The New Hope Local Surface Water Management Plan dated _____ 2018, is hereby approved.
2. In accordance with Minnesota Statutes, Section 103B.235, subdivision 4, the City shall adopt and implement its local plan within 120 days of this approval and amend its official controls in accordance with the plan within 180 days.
3. Pursuant to Minnesota Statutes, Section 103B.235, subdivision 5, and to be consistent with the Commission’s water management plan, the City shall submit any proposed amendments to its local plan to the Commission for review and approval prior to adoption.

Adopted by the Board of Commission of the Bassett Creek Watershed Management Commission the 14th day of November, 2018.

Chair

ATTEST:

Secretary

BASSETT CREEK WATERSHED MANAGEMENT COMMISSION
RESOLUTION NO. 18-08

A RESOLUTION APPROVING THE LOCAL SURFACE WATER
MANAGEMENT PLAN PREPARED BY THE CITY OF PLYMOUTH

WHEREAS, the Bassett Creek Watershed Management Commission (“Commission”) is a joint powers watershed management organization established in accordance with Minnesota Statutes, Section 103B.211; and

WHEREAS, the Commission has prepared a water management plan, which has been reviewed by all appropriate state and local agencies and has been approved by the Board of Water and Soil Resources; and

WHEREAS, the Commission’s water management plan and Minnesota Statutes require that local water management plans be prepared in accordance with Minnesota Statutes, Section 103B.235 and Minnesota Rules, Chapter 8410; and

WHEREAS, the City of Plymouth (“City”) has prepared and submitted to the Commission the City’s local water management plan; and

WHEREAS, Minnesota Statutes, Section 103B.235, subdivision 3 authorizes the Commission to review and approve local water management plans and to take other actions necessary to assure that the local plan is in conformance with the Commission’s plan and the standards set forth therein; and

WHEREAS, the Commission reviewed the City’s plan, considered the comments provided by the Metropolitan Council regarding the plan, and has determined the plan was prepared in accordance with the requirements of Minnesota Statutes, Section 103B.235 and Minnesota Rules, Parts 8410.0160 and 8410.0170, it contains the requirements for a local plan, and is consistent with the Commission’s water management plan.

NOW, THEREFORE, BE IT RESOLVED, by the Bassett Creek Watershed Management Commission, as follows:

1. The Plymouth Surface Water Resources Management Plan dated December 2018 is hereby approved with the understanding that the final plan may include changes required to respond to comments from other watersheds, but conditioned on those changes not revising the provisions applicable within the Bassett Creek Watershed.
2. In accordance with Minnesota Statutes, Section 103B.235, subdivision 4, the City shall adopt and implement its local plan within 120 days of this approval and amend its official controls in accordance with the plan within 180 days.
3. Pursuant to Minnesota Statutes, Section 103B.235, subdivision 5, and to be consistent with the Commission’s water management plan, the City shall submit any proposed amendments to its local plan to the Commission for review and approval prior to adoption.

Adopted by the Board of Commission of the Bassett Creek Watershed Management Commission the 14th day of November, 2018.

Chair

ATTEST:

Secretary

BASSETT CREEK WATERSHED MANAGEMENT COMMISSION
RESOLUTION NO. 18-09

A RESOLUTION APPROVING THE LOCAL SURFACE WATER
MANAGEMENT PLAN PREPARED BY THE CITY OF MINNEAPOLIS

WHEREAS, the Bassett Creek Watershed Management Commission (“Commission”) is a joint powers watershed management organization established in accordance with Minnesota Statutes, Section 103B.211; and

WHEREAS, the Commission has prepared a water management plan, which has been reviewed by all appropriate state and local agencies and has been approved by the Board of Water and Soil Resources; and

WHEREAS, the Commission’s water management plan and Minnesota Statutes require that local water management plans be prepared in accordance with Minnesota Statutes, Section 103B.235 and Minnesota Rules, Chapter 8410; and

WHEREAS, the City of Minneapolis (“City”) has prepared and submitted to the Commission the City’s local water management plan; and

WHEREAS, Minnesota Statutes, Section 103B.235, subdivision 3 authorizes the Commission to review and approve local water management plans and to take other actions necessary to assure that the local plan is in conformance with the Commission’s plan and the standards set forth therein; and

WHEREAS, the Commission reviewed the City’s plan, considered the comments provided by the Metropolitan Council regarding the plan, and has determined the plan was prepared in accordance with the requirements of Minnesota Statutes, Section 103B.235 and Minnesota Rules, Parts 8410.0160 and 8410.0170, it contains the requirements for a local plan, and is consistent with the Commission’s water management plan.

NOW, THEREFORE, BE IT RESOLVED, by the Bassett Creek Watershed Management Commission, as follows:

1. The Minneapolis Water Resources Management Plan dated October 2018 is hereby approved with the understanding that the final plan may include changes required to respond to comments from other watersheds, but conditioned on those changes not revising the provisions applicable within the Bassett Creek Watershed.
2. In accordance with Minnesota Statutes, Section 103B.235, subdivision 4, the City shall adopt and implement its local plan within 120 days of this approval and amend its official controls in accordance with the plan within 180 days.
3. Pursuant to Minnesota Statutes, Section 103B.235, subdivision 5, and to be consistent with the Commission’s water management plan, the City shall submit any proposed amendments to its local plan to the Commission for review and approval prior to adoption.

Adopted by the Board of Commission of the Bassett Creek Watershed Management Commission the 14th day of November, 2018.

Chair

ATTEST:



Bassett Creek Watershed Management Commission

MEMO

Date: November 5, 2018
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.>)

2019 Medicine Lake Road and Winnetka Avenue Area Long Term Flood Mitigation Plan Implementation Phase I: DeCola Ponds B & C Improvement Project (BC-2, BC-3 & BC-8), Golden Valley (No change since Oct): A feasibility study for this project was completed in May after months of study, development of concepts and input from residents at two public open houses. At the May meeting, the Commission approved Concept 3 and set a maximum 2019 levy. Also in May, the Minnesota Legislature passed the bonding bill and the MDNR has since committed \$2.3M for the project. The Hennepin County Board approved a maximum 2019 levy request at their meeting in July. A BCWMC public hearing on this project was held on August 16th with no comments being received. Also at that meeting the Commission officially ordered the project and entered an agreement with the City of Golden Valley to design and construct the project. Project website: <http://www.bassettcreekwmo.org/index.php?cid=433>. In September, the City of Golden Valley approved the agreement with the BCWMC. The [Sun Post](#) ran an article on this project October 2.

2020 Bryn Mawr Meadows Water Quality Improvement Project (BC-5), Minneapolis: A feasibility study by the Commission Engineer began last fall and included wetland delineations, soil borings, public open houses held in conjunction with MPRB's Bryn Mawr Meadows Park improvement project, and input from MPRB's staff and design consultants. At their meeting in April, the Commission approved a TAC and staff recommendation to move this project from implementation in 2019 to design in 2020 and construction in 2021 to better coincide with the MPRB's planning and implementation of significant improvements and redevelopment Bryn Mawr Meadows Park where the project will be located. A draft feasibility study was presented at the October meeting. At direction of the Commission, staff is discussing Penn Pond with MnDOT to better understand treatment options. The final feasibility study is expected at the December meeting. Project website: <http://www.bassettcreekwmo.org/projects/all-projects/bryn-mawr-meadows-water-quality-improvement-project>

2019 Westwood Lake Water Quality Improvement Project (WST-2) (See Item 7D), St. Louis Park: At their meeting in September 2017, the Commission approved a proposal from the Commission Engineer to complete a feasibility study for this project. The project will be completed in conjunction with the Westwood Hills Nature Center reconstruction project. After months of study, several meetings with city consultants and nature center staff, and a public open house, the Commission approved Concept 3 (linear water feature) and set a maximum 2019 levy at their May meeting. 50% designs were approved at the July meeting and 90% design plans were approved at the August meeting. The Hennepin County Board approved a maximum 2019 levy request at their meeting in July. A BCWMC public hearing on this project was held on August 16th with no comments being received. Also at that meeting the Commission officially ordered the project and entered an agreement with the City of St. Louis Park to design and construct the project and directed the Education Committee to work with the Commission Engineer and city staff to develop a BCWMC educational sign for inside the nature

center. The draft sign was presented at the October meeting and will be finalized soon. The Sun Sailor recently printed an article on the project (Item 7D). Project website: <http://www.bassettcreekwmo.org/projects/all-projects/westwood-lake-water-quality-improvement-project>

2018 Bassett Creek Park Pond Phase I Dredging Project: Winnetka Pond, Crystal (BCP-2): The final feasibility study for this project was approved at the May 2017 meeting and is available on the project page online at <http://www.bassettcreekwmo.org/index.php?cID=403>. At the September 2017 meeting, the Commission held a public hearing on the project and adopted a resolution officially ordering the project, certifying costs to Hennepin County, and entering an agreement with the City of Crystal for design and construction. Hennepin County approved the 2018 final levy request at their meeting in November 2017. The City of Crystal hired Barr Engineering to design the project. At their meeting in April, the Commission approved 50% design plans. A public open house on the project was held May 24th where four residents asked questions, provided comments, and expressed support. 90% design plans were approved at the June 2018 meeting. An Environmental Assessment Worksheet was recently submitted; 30-day comment period ends November 7th. Construction bids are due mid-November. Construction is expected this winter.

2017 Plymouth Creek Restoration Project, Annapolis Lane to 2,500 feet Upstream (2017CR-P): (No change since August) All project documents including the feasibility study and 90% design plans are available online at <http://www.bassettcreekwmo.org/index.php?cID=284>. The BCWMC executed agreements with the BWSR for a \$400,000 Clean Water Fund grant and with Hennepin County for a \$50,000 Opportunity Grant and a subgrant agreement with the City was executed. Project design was completed by the city's contractor, Wenck Associates, with 60% and 90% design plans approved by the Commission at the April and August 2017 meetings, respectively. Plymouth City Council awarded a construction contract in early December 2017 and construction got underway on December 11, 2017. Streambank restoration work is complete in all three reaches. Vegetation is currently being established. Requests for reimbursement to the city were approved at the June and July BCWMC meetings. I will work on submitting a grant request to the State, if appropriate given expenditures.

2017 Main Stem Bassett Creek Streambank Erosion Repair Project (2017CR-M) (No change since June): 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 Commission was awarded an Environmental Response Fund grant from Hennepin County for \$150,300 and a grant agreement is in the process of being signed by the county. A subgrant agreement with the City will be developed. The City hired Barr Engineering to design and construct the project. Fifty-percent and 90% designs were approved at the August and October Commission meetings, respectively. In September, design plans were presented by Commission and city staff to the Harrison Neighborhood Association's Glenwood Revitalization Team committee and through a public open house on the project. Bidding for construction is complete and a pre-construction meeting was recently held. Construction was to begin this summer but will be delayed until winter/spring 2019 due to the unanticipated need for a field based cultural and historical survey of the project area required by the Army Corps of Engineers and the preference for Pioneer Paper (a significant landowner and access grantor) for a spring/summer construction window. The cultural and historical survey fieldwork is complete and a final report is expected in mid-December.

2015 Main Stem Restoration Project 10th Avenue to Duluth Street, Golden Valley (2015CR) (No change since October 2017): The restoration project is being constructed in two phases, each under separate contract. Phase one included 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 2016. Repairs to some areas where flooding impacted rocks or biologs were completed and accepted in mid-December 2016. Phase 1 of the construction project has entered the warranty period.

Phase 2 of the project includes the establishment of native vegetation along the stream, including grasses, wildflowers, shrubs, live stakes and fascines, and cordgrass plugs. The project has been seeded and stabilized and maintenance mowing and spot treatments have been completed. Applied Ecological Services (AES) installed live stakes and fascines this spring and completed the tree and shrub planting along the restoration project. AES 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.

2014 Schaper Pond Diversion Project, Golden Valley (SL-3) (No change since October): Repairs to the baffle structure were made in 2017 after anchor weights pulled away from the bottom of the pond and some vandalism occurred in 2016. The city continues to monitor the baffle and check the anchors, as needed. Vegetation around the pond was planted in 2016 and a final inspection of the vegetation was completed last fall. Once final vegetation has been completed, erosion control will be pulled and the contract will be closed. The Commission Engineer began the Schaper Pond Effectiveness Monitoring Project last summer and presented results and recommendations at the May 2018 meeting. Additional effectiveness monitoring is being performed this summer. At the July meeting the Commission Engineer reported that over 200 carp were discovered in the pond during a recent carp survey. At the September meeting the Commission approved the Engineer's recommendation to perform a more in-depth survey of carp including transmitters to learn where and when carp are moving through the system.

2014 Twin Lake In-lake Alum Treatment, Golden Valley (TW-2): (No change since June) 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. Lake monitoring results from 2017 were presented at the June 2018 meeting. Commissioners agreed with staff recommendations to keep the CIP funding remaining for this project as a 2nd treatment may be needed in the future.

2013 Four Season Area Water Quality Project/Agora Development (NL-2) (No change since May): At their meeting in December 2016, the Commission took action to contribute up to \$830,000 of Four Seasons CIP funds for stormwater management at the Agora development on the old Four Seasons Mall location. At their February 2017 meeting the Commission approved an agreement with Rock Hill Management (RHM) and an agreement with the City of Plymouth allowing the developer access to a city-owned parcel to construct a wetland restoration project and to ensure ongoing maintenance of the CIP project components. At the August 2017 meeting, the Commission approved the 90% design plans for the CIP portion of the project. At the April 2018 meeting, Commissioner Prom notified the Commission that RHM recently disbanded its efforts to purchase the property for redevelopment. I will be writing letters to the RHM and the City of Plymouth to officially cancel the agreements. Staff will work with the City of Plymouth to determine another possible option for treatment in this area.

Other Work

CIP Project Work and Technical Assistance

- Met with Commission Engineers, Minneapolis staff and MPRB to discuss Bryn Mawr Meadows Project
- Fielded calls from project proposers regarding BCWMC review process and requirements
- Sent final comment letter on Minnetonka Water Resources Management Plan after reviewing Met Council comments

Administration and Education

- Updated BCWMC grant tracking spreadsheet, local water plan status table, CIP status table
- Set CIP Prioritization and Administrative Service Committee meetings
- Finalized July CIP Prioritization Committee meeting notes; met with Commission Engineers to plan for next meeting; participated in committee meeting
- Participated in Administrative Services Committee meeting
- Reviewed Metro Blooms Clean Water Fund project activities and invoice
- Reviewed draft November press release
- Collected CAMP samples and equipment
- Reviewed/commented on next version of draft BCWMC Education sign for Westwood Hills Nature Center
- Completed reporting for Smart Salt Training Workshop
- Attended and gave presentation at Water Resources Conference
- Assisted with water policy discussion at Master Water Stewards session
- Completed survey on Met Council Environmental Services