



Bassett Creek Watershed Management Commission

Regular Meeting
Thursday January 17, 2019
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 – December 20, 2018 Commission Meeting
 - B. Acceptance of January 2019 Financial Report
 - C. Approval of Payment of Invoices
 - i. Keystone Waters, LLC – December 2018 Administrative Services
 - ii. Keystone Waters, LLC – December 2018 Printing Expenses
 - iii. Barr Engineering – December 2018 Engineering Services
 - iv. Triple D Espresso – January 2019 Meeting Refreshments
 - v. Wenck – December 2018 WOMP Monitoring
 - vi. Lawn Chair Gardener – December 2018 Administrative and Education Services
 - vii. Kennedy Graven – November 2018 Legal Services
 - viii. Metro Blooms – Harrison Neighborhood Project Met Council Grant Reimbursement
 - ix. Three Rivers Park District – Contribution for Medicine Lake Boat Launch Inspection Hours
 - x. City of Golden Valley – 2018 Financial Services
 - xi. Hennepin County – 2018 River Watch Program
 - xii. Shingle Creek WMC – Metro Blooms Workshop
 - xiii. CNA Surety – Surety Premium
 - D. Approval of Resolution 19-01 to Transfer Funds from CIP Account to Administrative Account
 - E. Approval of Resolution 19-02 to Transfer Funds from Administrative Account to Channel Maintenance Fund and Long-Term Maintenance Fund
 - F. Approval of Contract with Lawn Chair Gardener for 2019 Administrative Services
 - G. Approval of Amended Contract with Keystone Waters LLC for Administrator Services
 - H. Approval of Contract with Wenck Associates for 2019 WOMP Monitoring Services
 - I. Approval for Administrator to Attend Road Salt Symposium
 - J. Approval to Reimburse Commissioner Scanlan for Road Salt Symposium Registration
 - K. Approval of Proposal from MMKR to Perform 2018 Financial Audit

5. BUSINESS

- A. Consider Approval of Final Feasibility Study for Bryn Mawr Meadows Water Quality Improvement Project (30 min)
- B. Review Information and Consider Recommendations for Flood Control Project Deep Tunnel Inspection and Potential Tour (20 min)
- C. Receive Update on Minnesota Association of Watershed Districts (MAWD) and Metro MAWD (20 min)

6. COMMUNICATIONS (15 minutes)

- A. Administrator's Report
 - i. Reminder to Complete Conflict of Interest Forms
- B. Chair
- C. Commissioners
- D. TAC Members
- E. Committees
 - i. CIP Prioritization Committee
- F. Legal Counsel
- G. 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. BCWMC Column in Sun Sailor
- E. Harrison Neighborhood Project 2018 Year End Update
- F. WCA Notices of Decision (2), Plymouth
- G. WCA Notice of Application, Plymouth

8. ADJOURNMENT

Upcoming Meetings & Events

- Metro MAWD (Minnesota Association of Watershed Districts) Meeting: Tuesday January 29th, 7:00 p.m., Capitol Region Watershed District
- 18th Annual Road Salt Symposium: Thursday February 7th, 8:30 a.m. – 2:45 p.m., Plymouth Creek Center
- MAWD Legislative Reception and Day at the Capitol: Wednesday February 20th and Thursday February 21st, St. Paul
- Bassett Creek Watershed Management Commission Meeting: Thursday February 21st, 8:30 a.m., Golden Valley City Hall



Bassett Creek Watershed Management Commission

AGENDA MEMO

Date: January 10, 2019

To: BCWMC Commissioners

From: Laura Jester, Administrator

RE: Background Information for 1/17/19 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 – December 20, 2018 Commission Meeting- ACTION ITEM with attachment
 - B. Acceptance of January 2019 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 – December 2018 Administrative Services
 - ii. Keystone Waters, LLC – December 2018 Printing Expenses
 - iii. Barr Engineering – December 2018 Engineering Services
 - iv. Triple D Espresso – January 2019 Meeting Refreshments
 - v. Wenck – December 2018 WOMP Monitoring
 - vi. Lawn Chair Gardener – December 2018 Administrative and Education Services
 - vii. Kennedy Graven – November 2018 Legal Services
 - viii. Metro Blooms – Harrison Neighborhood Project Met Council Grant Reimbursement
 - ix. Three Rivers Park District – Contribution for Medicine Lake Boat Launch Inspection Hours
 - x. City of Golden Valley – 2018 Financial Services
 - xi. Hennepin County – 2018 River Watch Program
 - xii. Shingle Creek WMC – Metro Blooms Workshop
 - xiii. CNA Surety – Surety Premium
 - D. Approval of Resolution 19-01 to Transfer Funds from CIP Account to Administrative Account – ACTION ITEM with attachment – Per its fiscal policies, each year the Commission transfers up to 2.5% of the taxes levied for CIP projects to the Commission’s administrative account (annual operating funds) to offset the administrative costs of managing the CIP projects. In 2018, the Commission levied \$1,346,815 through Hennepin County. Staff recommends approving the resolution to transfer 2.0% of the levy amount or \$26,936 from the CIP account to the administrative account.
 - E. Approval of Resolution 19-02 to Transfer Funds from Administrative Account to Channel Maintenance Fund and Long-Term Maintenance Fund – ACTION ITEM with attachment – Per its fiscal policies, each year the Commission transfers \$25,000 from the administrative account into the Channel Maintenance Fund and another \$25,000 from the administrative account into the Flood Control Project Long Term Maintenance Fund. The Commission then transfers from the Flood Control Project Long Term Maintenance Fund into the administrative account the cost of Flood Control Project inspections for that year. Staff recommends approving the resolution to transfer \$25,000 into the Channel Maintenance Fund and \$4,000 into the Flood Control Project Long Term Maintenance Fund (which is \$25,000 less the anticipated total cost of 2018 inspections of the Flood Control Project).

- F. Approval of Contract with Lawn Chair Gardener for 2019 Administrative Services – **ACTION ITEM with attachment** - Dawn Pape has been providing administrative services, including drafting and distributing press releases, newspaper columns, and newsletter articles and posting on the BCWMC Facebook page since 2016, and has been drafting meeting minutes since March 2017. I recommend continuing to use her services for these items throughout 2019 and approving the attached contract which fits into the 2019 Administrative Services budget and was reviewed by the Commission's legal counsel.
- G. Approval of Amended Contract with Keystone Waters LLC for Administrator Services – **ACTION ITEM with attachment** – At the August 2018 meeting, the Commission approved an operating budget for 2019 which included a 3% increase in my hourly rate (from \$70/hour to \$72/hour) for an average of 80 hours per month. The attached amended agreement reflects the hourly rate change and was reviewed by the Commission's legal counsel. Staff requests approval.
- H. Approval of Contract with Wenck Associates for 2019 WOMP Monitoring Services – **ACTION ITEM with attachment** – Wenck Associates has been operating the Bassett Creek Watershed Outlet Monitoring Program (WOMP) station since 2013 and I recommend continuing to contract with them for this work per the contract and proposal attached; reviewed by the Commission's legal counsel.
- I. Approval for Administrator to Attend Road Salt Symposium – **ACTION ITEM no attachment** – The 18th annual [Road Salt Symposium](#) will be held on February 7th in Plymouth. Registration is \$135. I am requesting permission to attend the conference this year as chloride pollution continues to be a critical threat to waterbodies in the watershed and I feel the need to stay apprised of the science and policy surrounding this topic.
- J. Approval to Reimburse Commissioner Scanlan for Road Salt Symposium Registration – **ACTION ITEM no attachment** – For the same reasons as noted above for me, I recommend approving the reimbursement of registration costs for Commissioner Scanlan to attend the Road Salt Symposium.
- K. Approval of Proposal from MMKR to Perform 2018 Financial Audit – **ACTION ITEM attachment online** - Staff (including the Commission's Deputy Treasurer) recommends accepting the proposal from MMKR to perform the FY2018 financial audit.

5. BUSINESS

- A. Consider Approval of Final Feasibility Study for Bryn Mawr Meadows Water Quality Improvement Project (30 min) – **ACTION ITEM with attachment** – At the October 2018 meeting the Commission reviewed and discussed the draft feasibility study. Since then, staff had a good conversation with MnDOT and MPRB staff regarding maintenance of the MnDOT ponds (see outcomes in report). Also during that time an error was discovered in the previous pollutant load calculations for the project resulting in a reduction of estimated pollutant removal totals and subsequent increase in the cost per pound of removal. The error in the draft study was due to reporting the TOTAL pounds removed for the entire model run over multiple years, rather than the ANNUAL pounds removed. The revised numbers are more in line with what we typically see for water quality projects. The Commission Engineer will present the final feasibility study and recommends approving the study and moving forward with Concepts 2 or 3.
- B. Review Information and Consider Recommendations for Flood Control Project Deep Tunnel Inspection and Potential Tour (20 min) – **ACTION ITEM with attachment** – At the meeting in June 2018, commissioners expressed interest in a tour for commissioners and TAC members of the deep tunnel during the routine inspection originally slated for that fall. Due to delays in receiving permission from the Army Corps of Engineers, the inspection is now scheduled for the end of February. Please see the attached memo and recommendations from the Commission Engineer.

- C. Receive Update on Minnesota Association of Watershed Districts (MAWD) and Metro MAWD (20 min) – **INFORMATION/ACTION ITEM with attachment** – *I have gathered more information on meetings and opportunities for the Commission’s involvement in MAWD and Metro MAWD. Please see my attached memo for updates and recommendations.*

6. COMMUNICATIONS (20 minutes)

- A. Administrator’s Report – **INFORMATION ITEM with attachment**
i. Reminder to Complete Conflict of Interest Forms – **with attachment**
- B. Chair
- C. Commissioners
- D. TAC Members
- E. Committees
i. CIP Prioritization Committee
- F. Legal Counsel
- G. Engineer

7. INFORMATION ONLY (Information online only)

- A. Administrative Calendar
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- Bassett Creek Watershed Management Commission Meeting: Thursday February 21st, 8:30 a.m., Golden Valley City Hall



Bassett Creek Watershed Management Commission

DRAFT Minutes of Regular Meeting
Thursday, December 20, 2018
8:30 a.m.
Golden Valley City Hall, Golden Valley MN

1. CALL TO ORDER and ROLL CALL

On Thursday, December 20, 2018 at 8:35 a.m. in the Council Conference Room at Golden Valley City Hall (7800 Golden Valley Rd.), Chair de Lambert 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	Stacy Harwell	Jane McDonald Black	Jeff Oliver and Drew Chirpich
Medicine Lake	Clint Carlson	Gary Holter	<i>Absent</i>
Minneapolis	Michael Welch	<i>Vacant Position</i>	<i>Absent</i>
Minnetonka	Mike Fruen	<i>Absent</i>	Chris LaBounty and Sarah Schweiger
New Hope	<i>Absent</i>	Pat Crough	Megan Hedstrom
Plymouth	<i>Absent</i>	John Byrnes	Ben Scharenbroich
Robbinsdale	<i>Absent</i>	<i>Absent</i>	Richard McCoy and Marta Roser
St. Louis Park	Jim de Lambert	<i>Absent</i>	Erick Francis
Administrator	Laura Jester, Keystone Waters		
Engineer	Karen Chandler, Barr Engineering		
Recorder	Dawn Pape, Lawn Chair Gardener Creative Services		
Legal Counsel	Troy Gilchrist, Kennedy & Graven		
Presenters/ Guests/Public	None		

2. CITIZEN FORUM ON NON-AGENDA ITEMS

No citizens present.

3. APPROVAL OF AGENDA

MOTION: Commissioner Welch moved to approve the agenda. Alt. Commissioner Byrnes seconded the motion. Upon a vote, the motion carried 8-0. [City of Robbinsdale absent from the vote.]

4. CONSENT AGENDA

The following items were approved as part of the consent agenda: November 14, 2018 Commission meeting minutes, acceptance of the December 2018 financial report, payment of invoices, approval to reimburse City of Crystal for Winnetka Pond Dredging Project (CIP BCP-2), approval to amend agreement with Metropolitan Council for work on SWLRT, approval to direct Commission Engineer to submit flood control inspection report to cities, Minnesota DNR, and U. S. Army Corps of Engineers.

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

Checking Account Balance	\$ 481,296.06
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TOTAL GENERAL FUND BALANCE	\$ 481,296.06
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TOTAL CASH & INVESTMENTS ON-HAND (12/12/18)	\$3,758,521.15
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CIP Projects Levied – Budget Remaining	(\$3,964,489.38)
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Closed Projects Remaining Balance	(\$205,968.23)
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2012-2016 Anticipated Tax Levy Revenue	\$ 4,038.75
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2017 Anticipated Tax Levy Revenue	\$ 3,219.59
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Anticipated Closed Project Balance	(\$198,709.89)
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MOTION: Commissioner Welch moved to approve the consent agenda. Commissioner Anderson seconded the motion. Upon a vote, the motion carried 8-0. [City of Robbinsdale absent from the vote.]

5. BUSINESS

A. Consider Administrative Services Committee Recommendations for Soliciting Technical and Legal Services

Administrator Jester noted that this item was tabled at the November meeting and reminded the Commission that by State Law, once every two years the Commission must solicit proposals for professional services including technical/engineering and legal. She noted the Commission last solicited proposals in December 2016 and that 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.

Administrator Jester noted that the following motion was tabled at the November meeting:

MOTION: Alt. Commissioner Crough moved to approve the Administrative Services Committee recommendation to solicit letters of interest proposals for engineering and legal services. Commissioner Fruen seconded the motion.

Commissioner Welch reported that he had looked into the fact that the Commission's legal counsel also represents the City of Crystal and that other attorneys with Kennedy & Graven represent other member cities. He wanted to make sure there is no conflict of interest and that there is apt transparency regarding this situation. Commissioner Welch noted that Kennedy & Graven has provided good legal service to the Commission for many years and they remain the best option for the Commission. Commissioner Welch indicated that if a conflict of interest were to arise the Commission should affirmatively waive the conflict of interest. Commission Attorney Gilchrist further added that Kennedy & Graven has been representing member cities within the BCWMC for 30 years and isn't hiding the fact that the firm represents several different cities and watersheds in this area.

It was noted that a similar situation arises with Barr Engineering and in some cases the Commission contracts with a different engineering firm to avoid conflict. Commissioner Welch noted that transparency goes a long way and that instances of potential conflict are rare.

Commission Attorney Gilchrist indicated that waivers are not typically drafted for individual issues but he would draft a blanket waiver to acknowledge potential conflicts and would propose having a general consent. It was noted the waiver could be considered by the Commission at their February meeting where solicitation responses are presented.

VOTE: Upon a vote on the motion from the November meeting, the motion carried 8-0. [City of Robbinsdale absent from the vote.]

B. Receive Update on Decision by MAWD Regarding Watershed Management Organization Membership and Consider Options

Administrator Jester reported that on November 30th, the MN Association of Watershed Districts (MAWD) approved a bylaws change allowing watershed management organizations like the BCWMC to join MAWD with full membership rights. The Commission discussed whether or not to become a MAWD member in 2019 and participate in affiliated sub groups such as Metro MAWD and the MAWD Administrators group.

Administrator Jester reported that the dues for 2019 are \$500 and that after 2019, there is a formula for member dues with a not to exceed amount of \$7,500. She noted that benefits of being a member include educational and training opportunities, although BCWMC does have access to those trainings without being a member. She noted MAWD also lobbies and does advocacy work with the MN Legislature and if the Commission is a member, the BCWMC would be able to have input legislative priorities.

Commissioner Welch summarized the MAWD as being a "League of Minnesota Cities" for watersheds. Commissioner Welch noted that he has been pushing for WMOs to be members of MAWD for several years and he sees it as being a beneficial organization for professional development for staff and commissioners.

There was a brief discussion about the positive changes happening with MAWD. Commissioner Welch noted that 2020 membership fees would likely be about \$5,000. Alt. Commissioner McDonald Black thought the Commission should be part of MAWD because lobbying and advocacy are important.

MOTION: Commissioner Welch moved that the BCWMC become a member of MAWD for 2019. Commissioner Harwell seconded the motion. Upon a vote, the motion carried 8-0. [City of Robbinsdale absent from the vote.]

Administrator Jester indicated she would like to begin attending the Metro MAWD meetings each quarter and agreed to provide Metro MAWD information to commissioners.

C. Consider Ideas for Aquatic Invasive Species Prevention Grant Application

Administrator Jester reported that the Hennepin County Aquatic Invasive Species (AIS) pass-through grant applications are due January 14th. She noted that she had checked with a few partners and gathered ideas for activities that could be included in a grant application. She noted that although there are still conversations to have

with city staff, TRPD, MPRB, and lake groups regarding ideas for programs, projects, and collaboration for AIS prevention, she is requesting approval to submit a grant application on behalf of the BCWMC for up to \$20,740.

Administrator Jester also reported on a meeting with the AMLAC Board (Association of Medicine Lake Area Citizens) about this grant opportunity. She reported that AMLAC is supportive of a grant application and indicated that training volunteers to identify AIS is an AMLAC priority. She also noted that lake service providers (companies that put in and take out docks for lakeshore residents) have been caught multiple times with zebra mussels on equipment. She noted there is a need to educate homeowners on their responsibilities for AIS prevention.

Administrator Jester reviewed the grant proposal ideas as outlined in the memo in the meeting packet including:

1. Send several lake residents through the U of M's AIS Detector Training.
2. Host a "starry trek event" where volunteers meet in a central location, learn how to identify starry stonewort and other AIS, then split up to go look for it.
3. Hire consultant to host an AIS identification workshop for lake resident volunteers.
4. Host AIS education workshop for law enforcement representatives. This could be an overview of AIS laws and a brief hands-on identification lesson.
5. Hire intern/consultant (perhaps through West Metro Water Alliance) to attend community events and lake association meetings in the summer to educate the public about AIS.
6. Perform aquatic plant surveys on lakes where monitoring isn't scheduled in 2019 in order to detect starry stonewort or other invasive plants early when a rapid response may still be feasible

Commissioner Welch added that he viewed numbers one and six of the above list as most important. Administrator Jester then reviewed the AMLAC support she received via email. Engineer Chandler noted that early detection is key and reaching homeowners is very important, so number five is important too.

TAC member Scharenbroich stated that a training geared towards homeowners (particularly those that contract with lake service providers) should be in early spring because that is when docks are put in by homeowners. He continued that Plymouth may be able to help fund these activities.

MOTION: Commissioner Carlson moved to approve giving Administrator Jester authority to use her best judgment to develop and submit an appropriate AIS Prevention Grant application. Alt. Commissioner Byrnes seconded the motion. Upon a vote, the motion carried 8-0. [City of Robbinsdale absent from the vote.]

Commissioner Carlson also asked for a report from Three Rivers Park District on the use of the decontamination unit in 2018.

D. Consider Approval of Resolution Approving Crystal Surface Water Management Plan

Commission Engineer Chandler reported that she had reviewed the Crystal Surface Water Management Plan and provided comments to the city on November 21st. She noted the city revised the plan according to the Commission's comments and the plan is consistent with the Bassett Creek Watershed Management Plan and its requirements. She recommended approving Crystal's Local Surface Water Management Plan.

MOTION: Commissioner Anderson moved to approve the Resolution 18-10 approving the Crystal Surface Water Management Plan. Commissioner Welch seconded the motion. Upon a vote, the motion carried 8-0, City of Robbinsdale absent from the vote.

E. Consider Approval of Resolution Approving Minnetonka Water Resources Management Plan

Administrator Jester reported that she reviewed the Minnetonka Water Resources Management Plan on behalf of the Commission and provided comments to the city on October 29th. She reported the city revised the plan according to the Commission's comments and the plan is consistent with the Bassett Creek Watershed Management Plan and its requirements. She recommended approving the Minnetonka's Water Resources Management Plan Resolution 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.

MOTION: Commissioner Fruen moved to approve Resolution 18-11 approving the Minnetonka Water Resources Management Plan. Alt. Commissioner Byrnes seconded the motion. Upon a vote, the motion carried 8-0. [City of Robbinsdale absent from the vote.]

6. COMMUNICATIONS

A. Administrator's Report

- i. MAWD Annual Meeting – Administrator Jester briefly reported on attending the MAWD annual meeting including co-presenting with Commission Engineer Rattei on the Commission's AIS Rapid Response Plan.
- ii. AMLAC Meeting— As noted earlier, Administrator Jester attended the AMLAC Board meeting on 12/19 where the AIS Prevention Grant was the main topic.
- iii. Developing Scope for Further Study in Bassett Creek Valley – Administrator Jester reported that she and the Commission Engineer recently met with Minneapolis staff and others regarding development of a scope of work for a study.

B. Chair

Nothing to report.

C. Commissioners

Commissioner Fruen reported that he attended part of the MAWD Annual Meeting. He reported on an impressive educational program that is based on a book called "Paddle to the Sea" where kids create a small canoe and release it into the river.

Commissioner Carlson asked about the questions and details that are asked on the Campaign Finance and Conflict of Interest form. Legal Counsel Gilchrist's advice was to fill out the detailed form to the best of the Commissioners' abilities to avoid liability.

Commissioner Fruen reported that his great, great grandfather has the patent on the first vending machine which was used to dispense mineral spring water at Glenwood Englewood. He noted the spring is in BCWMC near the Fruen Mill and that this story was featured on CBS Sunday Morning with Jane Pauley at this link: https://www.cbsnews.com/news/almanac-the-first-vending-machine/?fbclid=IwAR1TQ8sv0IU2NUemT66XCwA9a8gXgPK39WUKazyQvnWZR-UDQeJfE--OK_Y

D. TAC Members

- i. Chris LaBounty, from the City of Minnetonka, introduced Sarah Schweiger – the city's new Water Resource Engineering Coordinator. She will be representing the City of Minnetonka on the TAC.

E. Committees

- i. CIP Prioritization Committee met on Dec. 5th and will meet again on Jan. 9th. Commissioner Harwell noted her preference for Thursday meetings.

F. Legal Counsel

Attorney Gilchrist updated the Commission that it is a misdemeanor to omit known details on the Campaign Finance Conflict of Interest forms.

G. Engineer

- i. Tunnel Inspection Update—the inspection is scheduled for the week of February 25-March 1, which could include a tour. The tour could be called off if it is too cold. Engineer Chandler needs a head count by January. A liability waiver form would need to be completed. There was also a reminder to cities to maintain and record maintenance of Flood Control Project components.

- ii. Jevne Park CIP Project Update—recently reviewed the draft feasibility study with the project team
- iii. FEMA Modeling Project Update—additional survey needed by Barr. There will be a future contract amendment.
- iv. The City of Golden Valley modified the Wirth Lake outlet. The city was thanked for completing this fabricated retrofit.

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. WCA Notice of Decision, Plymouth
- E. WCA Notice of Decision, Golden Valley
- F. WCA Notice of Decision, Jevne Park CIP Project

Upcoming Meetings & Events

- Smart Salting Solutions, January 8, 2019 at January 8th, 2019 at Nine Mile Creek Watershed District <https://www.ninemilecreek.org/whats-happening/upcoming-events/salt-solutions-2/>

8. ADJOURNMENT

The meeting adjourned at 9:56 a.m.

Signature/Title	Date
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Signature/Title	Date
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Bassett Creek Watershed Management Commission General Account
 General Fund (Administration) Financial Report
 Fiscal Year: February 1, 2018 through January 31, 2019
 MEETING DATE: January 17, 2019

Item 4B.
 BCWMC
 1-17-19

(UNAUDITED)

BEGINNING BALANCE	12-Dec-18		481,296.06
ADD:			
General Fund Revenue:			
Interest less Bank Fees		57.01	
Assessments:			
2019 -PREPAID			
City of New Hope	2019 Assessment	27,987.00	
Other:			
League of MN Cities	2018 Dividend	324.00	
Reimbursed Construction Costs		16,078.10	
	Total Revenue and Transfers In		44,446.11
DEDUCT:			
Checks:			
3143 Barr Engineering	Dec Engineering	46,518.54	
3144 Kennedy & Graven	Nov Legal	776.10	
3145 Keystone Waters LLC	Dec Administrator	3,465.66	
3146 Lawn Chair Gardener	Dec Admin Serv/Educ	1,200.78	
3147 Triple D Espresso	Jan Meeting	111.75	
3148 Wenck Associates	Dec WOMP	753.30	
3149 City of Golden Valley	Financial Services	3,200.00	
3150 Henn Cty Dept of Environ	Education Partnership	2,000.00	
3151 Metro Blooms	Educ/Public Outreach	1,000.00	
3152 Shingle Creek Watershed	Education Partnership	2,924.25	
3153 Three Rivers Park District	APM/AIS Work	5,000.00	
PREPAID	2019 Surety Bond	100.00	
	Total Checks/Deductions		67,050.38
ENDING BALANCE	9-Jan-19		458,691.79

Bassett Creek Watershed Management Commission General Account
General Fund (Administration) Financial Report
Fiscal Year: February 1, 2018 through January 31, 2019
MEETING DATE: January 17, 2019

(UNAUDITED)

	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	0.00	49,000.00	6,000.00
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	0.00	631,795.12	81,450.00
EXPENDITURES				
ENGINEERING & MONITORING				
TECHNICAL SERVICES	125,000	7,196.00	110,890.83	14,109.17
DEV/PROJECT REVIEWS	75,000	895.47	41,070.94	33,929.06
NON-FEE/PRELIM REVIEWS	10,000	1,154.50	21,754.26	(11,754.26)
COMMISSION AND TAC MEETINGS	12,000	437.50	9,150.17	2,849.83
SURVEYS & STUDIES	12,000	0.00	0.00	12,000.00
WATER QUALITY/MONITORING	80,700	10,356.02	111,535.26	(30,835.26)
WATER QUANTITY	6,300	0.00	5,168.37	1,131.63
WATERSHED INSPECTIONS -EROSION CONTROL	1,000	0.00	0.00	1,000.00
ANNUAL FLOOD CONTROL INSPECTIONS	48,000	4,819.00	14,150.17	33,849.83
REVIEW MUNICIPAL PLANS	8,000	4,688.50	26,551.20	(18,551.20)
WOMP	20,500	1,457.75	16,865.02	3,634.98
XP-SWMM MODEL UPDATES/REVIEWS	10,000	0.00	8,918.00	1,082.00
APM / AIS WORK	32,000	5,189.00	33,182.27	(1,182.27)
ENGINEERING & MONITORING TOTAL	440,500	36,193.74	399,236.49	41,263.51
ADMINISTRATION				
ADMINISTRATOR	67,200	3,360.00	54,565.00	12,635.00
LEGAL COSTS	17,000	776.10	11,402.70	5,597.30
AUDIT, INSURANCE & BONDING	15,500	0.00	17,648.00	(2,148.00)
FINANCIAL MANAGEMENT	3,200	3,200.00	3,200.00	0.00
MEETING EXPENSES	1,600	111.75	1,294.62	305.38
ADMINISTRATIVE SERVICES	15,000	1,054.44	12,916.19	2,083.81
ADMINISTRATION TOTAL	119,500	8,502.29	101,026.51	18,473.49
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	1,252.00	18,384.78	3,615.22
WATERSHED EDUCATION PARTNERSHIPS	13,850	4,924.25	13,454.25	395.75
OUTREACH & EDUCATION TOTAL	44,050	6,176.25	33,496.84	10,553.16
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	50,872.28	538,427.84	125,622.16

Cash Balance 12/12/2018				
Cash			1,227,303.79	
		Total Cash		1,227,303.79
Investments:				
	Minnesota Municipal Money Market (4M Fund)		2,500,000.00	
	Dividends-prior months		31,217.36	
	Dividends-Current		4,491.85	
		Total Investments		<u>2,535,709.21</u>
		Total Cash & Investments		3,763,013.00
Add:				
	Interest Revenue (Bank Charges)		270.11	
	State of MN - MV Credit-Agricultural		2.32	
		Total Revenue		<u>272.43</u>
Less:				
	CIP Projects Levied - Current Expenses - TABLE A		(4,616.50)	
	Proposed & Future CIP Projects to Be Levied - Current Expenses - TABLE B		<u>(6,971.70)</u>	
		Total Current Expenses		<u>(11,588.20)</u>
		Total Cash & Investments On Hand	01/09/19	<u><u>3,751,697.23</u></u>
	Total Cash & Investments On Hand		3,751,697.23	
	CIP Projects Levied - Budget Remaining - TABLE A		<u>(3,959,872.88)</u>	
	Closed Projects Remaining Balance		(208,175.65)	
	2012 - 2016 Anticipated Tax Levy Revenue - TABLE C		4,038.75	
	2017 Anticipated Tax Levy Revenue - TABLE C		3,219.59	
	Anticipated Closed Project Balance		<u><u>(200,917.31)</u></u>	
	Proposed & Future CIP Project Amount to be Levied - TABLE B		<u>1,436,000.00</u>	

TABLE A - CIP PROJECTS LEVIED							Grant Funds Received
	Approved Budget	Current Expenses	2018 YTD Expenses	INCEPTION To Date Expenses	Remaining Budget		
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	4,616.50	27,555.06	377,216.46	234,783.54		
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						700,000	
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					200,000	
2018							
Bassett Creek Park & Winnetka Ponds Dredging (BCP-2)	1,000,000	0.00	63,749.85	124,819.10	875,180.90		
		<u>8,886,715</u>	<u>4,616.50</u>	<u>1,241,286.57</u>	<u>4,926,842.12</u>	<u>3,959,872.88</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	508.00	39,062.00	41,572.20	362,927.80	
2019 Project Totals	1,436,000	508.00	80,065.40	127,084.76	1,308,915.24	
2020						
Bryn Mawr Meadows (BC-5)	0	2,000.34	65,863.58	97,105.90	(97,105.90)	
Jevne Park Stormwater Mgmt Feasibility (ML-21)	0	4,463.36	29,609.14	29,609.14	(29,609.14)	
Crane Lake Improvement Proj (CL-3)	0	0.00	5,162.35	5,162.35	(5,162.35)	
2020 Project Totals	0	6,463.70	100,635.07	131,877.39	(131,877.39)	
Total Proposed & Future CIP Projects to be Levied	1,436,000	6,971.70	180,700.47	258,962.15	1,177,037.85	

BCWMC Construction Account

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

January 2019 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
2019 Tax Levy	1,436,000.00							
2018 Tax Levy	1,346,815.00		1,346,815.00	0.00	1,327,447.31	1,327,447.31	19,367.69	947,115.00
2017 Tax Levy	1,303,600.00	(10,691.48)	1,292,908.52	0.00	(1,448.47)	1,289,688.93	3,219.59	1,303,600.00
2016 Tax Levy	1,222,000.00	(9,526.79)	1,212,473.21	0.00	(1,452.87)	1,209,762.69	2,710.52	1,222,000.00
2015 Tax Levy	1,000,000.00	32.19	1,000,032.19	0.00	294.54	999,226.24	805.95	1,000,000.00
2014 Tax Levy	895,000.00	(8,533.75)	886,466.25	0.00	150.16	885,786.68	679.57	895,000.00
2013 Tax Levy	986,000.00	(10,510.52)	975,489.48	0.00	690.43	975,646.77	(157.29)	986,000.00
				<u>0.00</u>			<u>7,258.34</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	4,489.90	15,235.40	335,977.81	
Less: State of MN - DNR Grants			(4,542.00)	(97,542.00)	
	690,573.00	4,489.90	10,693.40	238,435.81	452,137.19
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	0.00	13,320.14	21,717.03	112,877.97
	134,595.00	0.00	13,320.14	(67,298.00)	(67,298.00)
				(45,580.97)	
Total Other Projects	1,835,168.00	4,489.90	97,475.19	488,941.59	1,144,332.41

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	1,236,670.07			22,938.56				725,298.17			422,683.49	63,749.85
Total Expenditures:	4,922,225.62	11,589.50	162,907.34	372,599.96	250,000.00	91,037.82	1,003,746.24	750,605.17	1,447,143.38	126,376.39	581,400.72	124,819.10
Project Balance	3,964,489.38	184,410.50	827,092.66	239,400.04		71,962.18	499,253.76	60,324.83	(13,403.38)	938,095.61	282,172.28	875,180.90

	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	606,485.34	6,338.95	64,076.04	144,588.01	13,089.74	15,712.00	15,825.00	13,157.98	17,966.00	111,939.39	78,973.13	124,819.10
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	4,922,225.62	11,589.50	162,907.34	372,599.96	250,000.00	91,037.82	1,003,746.24	750,605.17	1,447,143.38	126,376.39	581,400.72	124,819.10

	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	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			



Item 4D.
BCWMC 1-17-19

Bassett Creek Watershed Management Commission

RESOLUTION NO. 19-01

Member _____ introduced the following resolution and moved its adoption:

A RESOLUTION APPROVING THE REIMBURSEMENT TO THE BASSETT CREEK WATERSHED MANAGEMENT COMMISSION 2.0% OF THE TAX LEVY REQUEST TO HENNEPIN COUNTY FOR COLLECTION IN 2018, FOR ADMINISTRATIVE EXPENSES FOR CAPITAL IMPROVEMENT PROGRAM (CIP) PROJECTS AND APPROVING THE TRANSFER OF THE FUNDS FROM THE CIP ACCOUNT TO THE ADMINISTRATIVE ACCOUNT

BE IT RESOLVED by the Bassett Creek Watershed Management Commission of the Cities of Crystal, Golden Valley, Medicine Lake, Minneapolis, Minnetonka, New Hope, Plymouth, Robbinsdale, and St. Louis Park that:

1. The Bassett Creek Watershed Management Commission (BCWMC) will be reimbursed \$26,936, which is 2.0% of the BCWMC's September 2017 tax request in the amount of \$1,346,815 to Hennepin County for collection in 2018, for administrative expenses for Capital Improvement Projects.
2. The Bassett Creek Watershed Management Commission directs its Deputy Treasurer to transfer the reimbursed funds from the Commission's CIP Account to its Administrative Account.

Chair

Date

Attest:

Secretary

Date

The motion for adoption of the foregoing resolution was seconded by Member _____ and upon a vote being taken thereon, the following voted in favor thereof: _____ and the following voted against the same _____ whereupon said resolution was declared duly passed and adopted.



Item 4E.
BCWMC 1-17-19

Bassett Creek Watershed Management Commission

RESOLUTION NO. 19-02

Member _____ introduced the following resolution and moved its adoption:

A RESOLUTION APPROVING THE TRANSFER OF BASSETT CREEK WATERSHED MANAGEMENT COMMISSION FUNDS FROM THE ADMINISTRATIVE ACCOUNT TO THE EROSION/SEDIMENT (CHANNEL MAINTENANCE) ACCOUNT AND LONG-TERM MAINTENANCE ACCOUNT

BE IT RESOLVED by the Bassett Creek Watershed Management Commission that:

1. \$25,000 will be transferred from the Bassett Creek Watershed Management Commission's Administrative Account to the Erosion/Sediment (Channel Maintenance Fund) account.
2. \$4,000 will be transferred from the Bassett Creek Watershed Management Commission's Administrative Account to the Long-Term Maintenance account which equals the annual \$25,000 transfer amount less the estimated cost of the 2018 inspections of the BCWMC Flood Control Project of \$21,000.

Chair

Date

Attest:

Secretary

Date

The motion for adoption of the foregoing resolution was seconded by Member _____ and upon a vote being taken thereon, the following voted in favor thereof: _____ and the following voted against the same _____ whereupon said resolution was declared duly passed and adopted.

ADMINISTRATIVE SERVICES AGREEMENT

THIS ADMINISTRATIVE SERVICES AGREEMENT (“Agreement”) is made and entered into by and between the Bassett Creek Watershed Management Commission, a Minnesota joint powers organization (the “Commission”), and Dawn Pape, doing business as Lawn Chair Gardener, 5901 Birchwood Street, Shoreview, MN 55126 (the “Contractor”).

1. **SERVICES.** Contractor will perform the services outlined in the proposal (“Proposal”) dated January 7, 2019, which is attached hereto as Exhibit 1 and is incorporated herein, including performing social media tasks; writing newspaper columns and press releases; drafting meeting minutes for monthly Commission meetings; and posting WaterShed Partners articles to BCWMC website (collectively, the “Services”). The terms and conditions of this Agreement shall be controlling over any conflicting term or condition contained within the Proposal.
2. **COMPENSATION.** Contractor will be paid for Services at the rate of \$42 per hour. Contractor will be reimbursed for actual, reasonable and necessary out-of-pocket expenses including Facebook boosts and promos, printing, materials, and travel (at the current IRS rate for privately owned automobiles). Travel outside of the Minneapolis/St. Paul metropolitan area and overnight accommodations must have the prior approval of the Commission. Meeting and meal expenses (other than meetings of the Commission or its committees) must have the prior approval of the Commission. The total compensation, including expenses, to be paid to Contractor for all the Services to be provided under this Agreement shall not exceed \$11,453.76.
3. **PAYMENT.** Contractor will submit monthly invoices for the Services providing detailed time records of Services provided and time spent, and shall provide receipts for eligible reimbursable expenses that are not otherwise reimbursed by the Commission through its consultants or otherwise. Invoices and records, together with supporting information, shall be submitted in a form acceptable to the Commission. The Commission will pay invoices within 45 days of receipt thereof. Invoices received by the first Thursday of the month will ordinarily be authorized for payment at that month’s regular meeting.
4. **TERM AND TERMINATION.** This Agreement shall be effective as of the date of the last party to execute it and it shall continue in effect until January 31, 2020. This Agreement may be terminated by either party at any time, and for any reason, on 35 days’ written notice of termination.
5. **SUBSTITUTION AND ASSIGNMENT.** Services provided by Contractor will generally be performed by Dawn Pape. Upon approval by the Commission, the Contractor may substitute other persons to perform some identified portion of the Services set forth in this Agreement. No assignment of this Agreement shall be permitted without a prior written amendment signed by the Commission and the Contractor.

6. **AMENDMENTS.** This document, together with any attached Exhibit, constitutes the entire Agreement between the parties and no modifications of its terms shall be valid unless reduced to writing and signed by both parties.
7. **INDEPENDENT CONTRACTOR.** The Contractor (including the Contractor's employees, if any) is not an employee of the Commission. Contractor will act as independent contractor and acquire no rights to tenure, workers' compensation benefits, unemployment compensation benefits, medical and hospital benefits, sick and vacation leave, severance pay, pension benefits or other rights or benefits offered to employees of the Commission. Contractor shall not be considered an employee of the Commission for any purpose including, but not limited to: income tax withholding; workers' compensation; unemployment compensation; FICA taxes; liability for torts; and eligibility for benefits.

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

8. **DATA PRACTICES AND RECORDS.** All records, information, materials and other work product, in written, electronic, or any other form, developed in connection with providing Services under this Agreement shall be the exclusive property of the Commission. All such records shall be maintained with the records of the Commission and in accordance with the instructions of the Commission. The Contractor will comply with the Minnesota Government Data Practices Act and all other applicable state and federal laws relating to data privacy or confidentiality. The Commission will provide such advice and legal services as are necessary to comply with such laws and regulations as they relate to the data maintained by the Commission.
9. **COMPLIANCE WITH LAWS.** Contractor shall comply with all applicable federal, state and local laws, regulations or ordinances in performance of Contractor's duties hereunder, such laws including but not limited to those relating to non-discrimination in hiring or labor practices.
10. **AUDIT.** The Contractor agrees that the Commission, the State Auditor, or any of their duly authorized representatives, at any time during normal business hours and as often as they may reasonably deem necessary shall have access to and the right to examine, audit, excerpt, and transcribe any books, documents, papers, and records that are relevant to and involve transactions relating to this Agreement.
11. **HOLD HARMLESS.** Contractor shall defend, indemnify and hold harmless the Commission, its member cities and their elected officials, officers, employees, agents, and representatives, from and against any and all claims, costs, losses, expenses, demands, actions or causes of action, including reasonable attorneys' fees and other costs and expenses of litigation that may arise out of this Agreement for Services provided by Contractor hereunder.



ADMINISTRATIVE SERVICES

February 1, 2019-January 31, 2020

PROPOSAL FOR BCWMC

Dawn Pape has over twenty years of experience in the field of education and fifteen years of experience specifically in water-related public education. Pape started the Blue Thumb—Planting for Clean Water® program when she was the director of outreach at the Rice Creek Watershed District. In that position, she communicated and coordinated projects with 29 communities, four counties, and many water management organizations.

Dawn Pape brings a unique skill set to projects: writing, creativity, graphic design, photography, social media, website development, friendliness, energy, practicality, implementation experience, fiscal responsibility and even public speaking and performance. With a Masters of Science in Environmental Education from University of Wisconsin—Stevens Point, Pape keeps abreast of environmental issues and technology with continuing education.

Lawn Chair Gardener	BCWMC
Dawn Pape 5901 Birchwood St. Shoreview, MN 55126 651.485.5171	Laura Jester
dawn@lawnchairgardener.com lawnchairgardener.com	laura.jester@kestonewaters.com bassettcreekwmo.org

Proposal Issued: 01.07.2019	Proposal Valid to: 03.30.2019
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Services	Hourly Rate x Time	Total
Administrative Services not to exceed 21 hours/month • Breakdown of services and time estimates listed below	Labor \$42 x 21 hrs. x 12 mos.	\$ 10,584
1. Board Minutes (Feb. 2019-Jan. 2020) ~\$ 4,032 • Attend monthly meetings and write minutes (approx. 8 hrs. ea. mo.) for 12 months	\$42 x 96 hrs. =	~\$ 4,032
2. Newspaper Column in Local Newspapers, Write and Send Press Releases as Needed, Post monthly Watershed Partners Articles to BCWMC Website	\$42 x 5 hrs./month	~\$ 2,520
3. Facebook posts (1-2/week) to inform and engage public. There was a 15% increase in followers in 2018 • 2018 Reach=1,301,059 (Reach is defined as the number of unique users who had any content or information about the BCWMC page enter their screen. This includes posts, check-ins, ads, social information from people who interact with the BCWMC page and more.) • 2018 Engagement=53,627 (Engagement is defined as the number of unique users who engaged with the BCWMC Page. Engagement includes any click or story created.)	\$42 x 1-2 hrs./week x 52 weeks \$40 /mo. for 12 mos. (Facebook boosts/promos)	~\$ 3,276 \$480
4. Education Meetings and/or Meetings with Administrator • 4 meetings/year at approx. 4-5 hours in length	\$42 x 18	~\$ 756
Mileage ~\$ 320.46 • 42 miles round-trip at 2019 mileage rate of 58 cents/mile x 16 meetings (\$389.76)	Mileage	~\$389.76
	Grand Total	\$11,453.76

ADMINISTRATOR AGREEMENT

THIS AGREEMENT is made effective as of the first day of February, 2019, by and between the Bassett Creek Watershed Management Commission, a Minnesota joint powers organization (the "Commission"), and Keystone Waters, LLC, a Minnesota limited liability company (the "Contractor").

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

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

2. COMPENSATION. Contractor will be paid for services at the rate of \$72 per hour.

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

reimbursable expenses, which vendors may include Barr Engineering, member cities, or other entities.

Compensation will not exceed an average of \$5,760 per month, excluding expenses, and shall not exceed a total of \$69,120 for the entire fiscal year, without the prior approval of the Commission or its authorized officers. Reimbursable expenses of the Administrator (in addition to prior approved travel) may include postage, printing, reasonable meeting refreshments, general office supplies used for Commission business, and other expenses, as approved.

3. PAYMENT. The Contractor will submit monthly invoices for services providing detailed time records of services provided and time spent and receipts for reimbursable expenses. Invoices and records, together with supporting information, shall be submitted in a form acceptable to the Commission. The Commission will pay invoices within 45 days of receipt thereof. Invoices received by the first Thursday of the month will ordinarily be authorized for payment at that month's regular meeting.
4. TERM AND TERMINATION. This Agreement shall continue in effect indefinitely unless terminated in accordance with this Agreement. This Agreement may be terminated by either party at any time, and for any reason, on 30 days' written notice.
5. SUBSTITUTION AND ASSIGNMENT. Services provided by Contractor will generally be performed by Laura Jester. Upon approval by the Commission, the Contractor may substitute other persons to perform the services set forth in this Agreement. No assignment of this Agreement shall be permitted without a prior written amendment signed by the Commission and the Contractor.
6. AMENDMENTS. No amendments to this Agreement may be made except in writing signed by both parties.
7. INDEPENDENT CONTRACTOR. The Contractor (including the Contractor's employees, if any) is not an employee of the Commission. Contractor will act as independent contractor and acquire no rights to tenure, workers' compensation benefits, unemployment compensation benefits, medical and hospital benefits, sick and vacation leave, severance pay, pension benefits or other rights or benefits offered to employees of the Commission. Contractor shall not be considered an employee of the Commission for any purpose including, but not limited to: income tax withholding; workers' compensation; unemployment compensation; FICA taxes; liability for torts; and eligibility for benefits.

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

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

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

AGREEMENT FOR ENGINEERING SERVICES

THIS AGREEMENT (“Agreement”) made and entered into this day January 17, 2019

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

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

(and together “the Parties”)

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

1. **PROJECT**
This Agreement pertains to the provision of engineering services for the Proposal for the Bassett Creek Watershed Outlet Monitoring Services dated January 4, 2019 (“Project”).
2. **SCOPE OF SERVICES**
The services to be performed by WENCK for the Project are set forth in WENCK’s proposal referred to as the “2019 Bassett Creek Watershed Outlet Monitoring Program Services” (collectively, the “Services”). The Services may be modified by a written, mutually agreeable Change Order. WENCK shall provide the Services as an independent contractor.
3. **COMPENSATION**
Compensation shall be paid for the Services actually provided in accordance with the WENCK’s proposal. The Project will be invoiced on a monthly basis for professional time completed and expenses incurred with a 0% mark-up. Invoices are to be paid within 45 days of receipt of the invoice.
4. **TERM**
WENCK will commence the Services beginning January 1, 2019 and provide appropriate expertise and will proceed with due diligence until December 31, 2019.
5. **TERMINATION**
This Agreement may be terminated by CLIENT upon 5 days’ notice in writing to WENCK. CLIENT shall forthwith pay to WENCK all amounts, including all expenses and other applicable charges, payable under this Agreement as of the termination date.
6. **STANDARD OF CARE/INDEMNITY** WENCK will provide:
 - A. The standards of care, skill and diligence normally provided by a professional in the performance of the Services contemplated by this Agreement.

- B. Wenck agrees to indemnify and hold CLIENT harmless from any claim, cause of action, demand or other liability of any nature or kind (including the costs of reasonable attorney's fees and expert witness fees) arising out of any negligent act or omission of Wenck or any subcontractor of Wenck in connection with the Services performed under the terms of this Agreement. Nothing herein shall be deemed a waiver by CLIENT of any limitations or exemptions from liability available to it under Minnesota Statutes, chapter 466 or other law.
- C. WENCK shall, during the entire term of this Agreement, maintain commercial general liability insurance and professional liability insurance, each with a policy limit of at least \$1,000,000. WENCK shall have CLIENT named as an additional insured on WENCK's commercial general liability policy. WENCK shall provide CLIENT a certificate of insurance showing proof of such coverages.

7. DISPUTE RESOLUTION/GOVERNING LAW

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

8. NOTICE AND OFFICIALS

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

9. MISCELLANEOUS

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

10. GRANT REQUIREMENTS

WENCK recognizes that CLIENT will undertake certain obligations as part of a "Grant Agreement between the Metropolitan Council and Bassett Creek Watershed Commission For The Metropolitan Area Watershed Outlet Monitoring Program (WOMP2)" (the "Metropolitan Council Grant"), a copy of which will be attached to the proposal when executed. WENCK agrees that obligations imposed by the Metropolitan Council Grant on subgrantees and

subcontractors are hereby made binding on WENCK, and that the terms of said agreement are incorporated into this Agreement to the extent necessary for the Metropolitan Council to meet its obligations under the State Grant Agreement. The terms of the Metropolitan Council Grant are incorporated in and made part of this Agreement as needed to give effect to the purposes of this Agreement.

IN WITNESS WHEREOF the parties have duly executed this Agreement.

“CLIENT”
Bassett Creek Watershed
Management Commission

“WENCK”
Wenck Associates, Inc.

By: _____
Its Chair

By: _____

Its Secretary

Its:



Responsive partner.
Exceptional outcomes.

January 4, 2019

Ms. Laura Jester

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

RE: 2019 Bassett Creek Watershed Outlet Monitoring Program Services

Dear Ms. Jester:

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

Scope of Work

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

Task 1. Project Management.

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

Task 2. Routine Monitoring.

Wenck will collect routine monitoring samples once every two weeks beginning in January 2019 through December 2019 (~25 total events). This task assumes approximately 3 hours of staff time per sample event which includes field sampling preparation, sample collection, and sample delivery to MCES laboratory in St. Paul. This task also covers staff time for on-site equipment training/maintenance with MCES staff

Task 3. Storm Event Monitoring.

Wenck will target and collect approximately 10 storm event samples in 2019. This task assumes approximately 2.5 hours of staff time per sample event which includes field sampling prep, sample collection, and sample delivery to MCES laboratory in St. Paul.

Task 4. Attend MCES Cooperator Forum

One Wenck staff member will attend MCES's WOMP Station Cooperator Forum which is typically held in the spring. A summary of the forum will be provided to BCWMC staff.

Cost Estimate

Wenck proposes to perform the scope of work stated above on a time and materials basis for a total estimated cost of \$16,397 for the 2019 monitoring season. A detailed breakdown of our cost estimate is provided below.

Ms. Laura Jester
BCWMC
January 4, 2018



Responsive partner.
Exceptional outcomes.

Table 1: Tasks and estimated costs.

Staff	Task	Hours/ Quantity	Total Cost
Jeff Strom	Task 1: Project Management	12	\$1,740
Anne Wilkinson/ Tom Langer/ Jeff Strom	Task 2: Routine Monitoring	70	\$8,750
	Task 3: Storm Event Monitoring	25	\$3,125
Tom Langer	Task 4: Attend MCES Cooperator Forum	6	\$720
--	Mileage	1,400 miles	\$812
	Equipment (Data Sonde)	\$50/day	\$1,250
Total Estimated Project Cost			\$16,397

Summary

On behalf of the 275+ employee-owners of Wenck, thank you for this opportunity to work with the BCWMC. Should you have any questions, or need clarification of anything presented in this scope of work, please do not hesitate to contact Jeff Strom at 763-252-6833 or jstrom@wenck.com.

Sincerely,

Wenck Associates, Inc.

A handwritten signature in black ink, appearing to read 'Jeff Strom', is written over a light blue horizontal line.

Jeff Strom
Associate

Feasibility Report for Bryn Mawr Meadows Water Quality Improvement Project

Minneapolis, MN

January 2019



Prepared for
Bassett Creek Watershed Management Commission



Feasibility Report for Bryn Mawr Meadows Water Quality Improvement Project

January 2019

Contents

1.0	Background	1
1.1	Project Area Description	1
1.1.1	Subwatershed Draining Through Bryn Mawr Meadows Park	2
1.1.2	Site Topographic Survey	2
1.1.3	Soil Borings	2
1.1.4	Cultural Resources	3
1.1.5	Wetland Delineations	3
1.1.6	Bassett Creek Floodplain	3
1.2	Hydrologic and Hydraulic Models	3
1.3	Water Quality Models	3
2.0	Goals and Objectives	7
2.1	Scope	7
2.2	Considerations	8
3.0	Stakeholder Input	8
3.1	Onsite Meeting	8
3.2	Design Charrette at MPRB	8
3.3	Technical Stakeholder Meeting	8
3.4	Public Stakeholder Meeting	9
3.5	BCWMC Staff Comments	9
4.0	Water Quality Improvement Concepts	10
4.1	Concept 1 – Northwest Neighborhood Diversion	10
4.2	Concept 2 –Penn Pond Low Flow Diversion	10
4.3	Concept 3 – Northwest Neighborhood Diversion and Penn Pond Low Flow Diversion	11
4.4	Other Concepts considered	11
5.0	Water Quality Impacts	15
6.0	Project Cost Considerations	15
6.1	Opinion of Cost	15

6.2	Funding Sources.....	16
6.3	Project Schedule.....	16
7.0	Permitting, Site Impacts, and Coordination	18
7.1	Permitting	18
7.2	Site Impacts and Coordination.....	18
8.0	Recommendations	18
9.0	References	18

List of Tables

Table 5-1	Estimated Annual TP Removals for Concepts 1, 2, and 3	15
Table 6-1	Estimated Capital and Annualized Costs for Concepts 1, 2, and 3.....	17

List of Figures

Figure 1-1	BCWMC Major Subwatersheds and Drainage Patterns	4
Figure 1-2	Bryn Mawr Meadows Park Location and Land Use	5
Figure 1-3	BCWMC Subwatershed.....	6
Figure 4-1	Concept 1: Northwest Neighborhood Diversion.....	12
Figure 4-2	Concept 2: Penn Pond Low Flow Diversion	13
Figure 4-3	Concept 3: Northwest Neighborhood Diversion and Penn Pond Low Flow Diversion.....	14

List of Appendices, Attachments, or Exhibits

Appendix A	Minneapolis Park & Recreation Board preferred master plan alternatives
Appendix B	Site Topographic Survey
Appendix C	Preliminary Geotechnical Report
Appendix D	Wetland Delineation Report
Appendix E	Opinion of Cost

Certifications

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the state of Minnesota.

Michelle Kimble
PE #: 42012

date
Date

1.0 Background

The Bassett Creek Watershed Management Commission's (BCWMC) 2015-2025 Watershed Management Plan (Plan, Reference (1)) addresses the need to improve the quality of stormwater runoff reaching the Mississippi River by reducing nonpoint source pollution, protecting and enhancing fish and wildlife habitat, reducing stormwater runoff volume to improve water quality, and taking into account aesthetics and recreational opportunities within the watershed. This project is consistent with the goals (Section 4.1) and policies (Sections 4.2.1 and 4.2.10) in the Plan. The Plan's 10-year Capital Improvement Program (CIP, Table 5-3 in the Plan) includes project BC-5 Bryn Mawr Meadows Water Quality Improvement Project. The BCWMC approved the 5-year (working) CIP at their March 16, 2017 meeting, which included implementation of the Bryn Mawr Meadows Water Quality Improvement Project in 2019.

The Bryn Mawr Meadows Water Quality Improvement Project was originally recommended as a 2016 CIP project, however it was decided to defer the project to 2020 to be more in line with the Minneapolis Park & Recreation Board's (MPRB) master plan process. MPRB's Bryn Mawr Meadows Park master plan is still in process, but they have selected two preferred master plan alternatives. Both alternatives include areas for water quality treatment and are attached in Appendix A. After the public comment period is over, one master plan will be chosen and presented to at the MPRB board. MPRB will design the park reconstruction in 2021 and start construction in 2022. MPRB will be responsible for meeting BCWMC water quality requirements for the site when the park is redeveloped. This CIP project will treat stormwater runoff above and beyond those requirements. This study examines the feasibility of constructing water quality improvements within the park to treat stormwater runoff from areas adjacent to Bryn Mawr and tributary to Bassett Creek.

1.1 Project Area Description

Bryn Mawr Meadows Park is a 51-acre park located in Minneapolis in the southeastern portion of the Bassett Creek watershed, southwest of the intersection of Interstate 394 and 94 (Figure 1-1). The park is bordered by Morgan Avenue S on the west, Interstate 394 on the east and south, and the Canadian Pacific rail line on the north. The city of Minneapolis impound lot and Bassett Creek are located north of the park and rail line. The park contains walking and biking paths, parking lot, broomball rink, cricket field, picnic area, playground, restroom, soccer fields, softball fields, tennis courts, basketball court, wading pool, and batting cages. The land use in the areas surrounding Bryn Mawr is low density residential, park, and industrial (Figure 1-2).

The MPRB master plan development is ongoing, but currently shows two preferred alternatives which include rearranging, adding and deleting some of the park's uses, including a new parking lot, and possibly an indoor/outdoor building. Both alternatives show areas in the north and central portion of the site to be used for "storm water enhancements". In general the park drains from the south to the north, with the north end being at the lowest elevation and most suitable to use for collecting and treating stormwater runoff. MPRB will need to meet BCWMC's water quality treatment requirements for the site, no matter which option is chosen. This feasibility study evaluates possible options that would go above

and beyond BCWMC's water quality treatment requirements, with the intention of treating some of the untreated or undertreated runoff from upstream areas.

1.1.1 Subwatershed Draining Through Bryn Mawr Meadows Park

The subwatershed tributary to the storm sewer through Bryn Mawr Meadows Park is approximately 267 acres (Figure 1-3); the storm sewer in the park discharges into Bassett Creek. Most of the subwatershed is located within Minneapolis, with a very small portion in Golden Valley. Land use is primarily comprised of low-density residential, park and recreational, and railroad (Figure 1-2).

One hundred eighty one (181) acres of the watershed drains into Penn Pond, owned by the Minnesota Department of Transportation (MnDOT), and located southwest of the Interstate 394 and Penn Avenue interchange. Penn Pond outlets via a 24-inch diameter storm sewer located below Interstate 394. The 24-inch storm sewer becomes a 42-inch storm sewer and continues along Morgan Avenue South, collecting additional drainage from surrounding park and residential areas. Near the north end of Bryn Mawr Meadows Park, the Morgan Avenue South storm sewer joins with park storm sewer. From that junction, a 66-inch reinforced concrete pipe continues under the railroad, under the city of Minneapolis impound lot, and outlets into Bassett Creek.

Existing information about Penn Pond is limited; based on the BCWMC engineer's observations during a site visit, the pond may not be functioning to its fullest potential. The BCWMC engineer held discussions with MnDOT staff; see Section 3.5 of this report for descriptions of these discussions. The BCWMC engineer used assumptions from the existing BCWMC water quality model as the basis for the water quality modeling for this feasibility study. The BCWMC model estimated the pond size based on aerial imagery and assumed a pond depth of approximately 6.5 feet deep from outlet invert to pond bottom (water quality storage). The actual water quality depth of the pond is important, as it impacts the sediment and phosphorus removal effectiveness for concepts 2 and 3. Therefore, the BCWMC engineer recommends that MnDOT survey and dredge accumulated sediments from the pond to maximize the pond's water quality treatment benefits. An additional dry storm basin located under Interstate 394, east of Penn Avenue, is a surge basin for Penn Pond. There is a piped outlet from Penn Pond to the surge basin, but no other outlet from the surge basin. When Penn Pond drains, the surge basin drains back into Penn Pond. It appears the surge basin overtops on occasion, and the overflow from the basin flows into the south end of Bryn Mawr Meadows Park.

1.1.2 Site Topographic Survey

Barr completed a site topographic survey in 2017. The site topographic survey is included in Appendix B.

1.1.3 Soil Borings

Barr completed four soil borings in April 2018. Soils are generally characterized as six to fourteen feet of fill, with organic or fat clays beneath the fill. Fat clays are very soft and are not conducive to supporting any type of structure. Any concrete pipe, concrete structures, or other structures will need to be installed on piles to prevent settlement. Plastic pipe is likely light enough to be installed without piles, but installation of all pipes and structures should be evaluated in final design. The feasibility study opinion of

costs assume the pond outlet structure will be on piles, but all storm sewer will be plastic and not on piles. Groundwater was observed three to six feet below grade. The preliminary geotechnical engineering report with boring locations and logs is included in Appendix C.

1.1.4 Cultural Resources

Barr completed a desktop Cultural Resources Review for the project area. A Minnesota State Historic Preservation Office (SHPO) database request resulted in several hundred residential structures in the area surrounding the park being identified as historic sites. The railroad bordering the north edge of the site is also considered historic. There were no historic sites identified within the park limits. The concepts discussed in this study would not disturb any of the historic sites identified in the area.

1.1.5 Wetland Delineations

Barr completed wetland delineations within the park in 2017. Four wetlands were delineated, but are not located in the conceptual design areas of the site and therefore should not impact potential water quality work. The wetland delineation report can be is located in Appendix D.

1.1.6 Bassett Creek Floodplain

BCWMC published their Phase II XP-SWMM model for Bassett Creek and its contributing watersheds in 2017. According to the model, the 100-year flood elevation for Bassett Creek, in the vicinity of Bryn Mawr Meadows Park, is 812.9 feet NAVD88. A portion of the northwest corner of the site is within the 100-year floodplain, however this area appears to be outside of the BCWMC jurisdictional floodplain, which means that the floodplain is managed by the City of Minneapolis, not the BCWMC. The water quality concepts developed as part of this study are not expected to result in fill in the floodplain and may even provide additional floodplain storage. Should any fill be placed within the 100-year floodplain, it must be mitigated and is subject to BCWMC and city approval.

1.2 Hydrologic and Hydraulic Models

As part of this study, the water quality concepts were analyzed using the latest version of the BCWMC Phase II XP-SWMM model. The XP-SWMM model was clipped to the local drainage area and the proposed water quality concepts were built into the model to evaluate the proposed features' effect on the overall drainage system. This effort should be expanded and refined during final design when selecting BMP and pipe sizes.

1.3 Water Quality Models

The BCWMC published their P8 water quality model for Bassett Creek and its contributing watersheds in 2012. As part of this study, Barr analyzed the water quality concepts using the latest version of the BCWMC P8 water quality model. Barr clipped the P8 model to the local drainage area and built the proposed water quality concepts into the model to evaluate the proposed features' effect on the overall treatment. Section **Error! Reference source not found.** summarizes the results of this analysis. Barr recommends refining this effort during final design and incorporating the constructed improvements into the BCWMC's P8 model after completion of the project.

2.0 Goals and Objectives

The goals and objectives of the feasibility study are to:

1. Review the feasibility of improving quality of stormwater runoff reaching Bassett Creek.
2. Develop conceptual designs.
3. Provide an opinion of cost for design and construction of concepts.
4. Identify potential impacts and permitting requirements.

The goal and objective of the water quality project is to reduce nonpoint source pollution to Bassett Creek.

2.1 Scope

As part of the Bryn Mawr Meadows Park reconstruction project, MPRB is proposing to construct additional water quality improvements to treat offsite stormwater runoff that would otherwise flow untreated to Bassett Creek. The BCWMC's BC-5 CIP project funding would be applied towards the portions of the water quality improvements that provide treatment "above and beyond" the BCWMC requirements for the park reconstruction project.

This project is consistent with the goals (Section 4.1) and policies (Sections 4.2.1, 4.2.2, and 4.2.10) in the 2015 – 2025 BCWMC Watershed Management Plan. The BCWMC has included the Bryn Mawr Meadows Water Quality Project in its CIP, based on gatekeeper policy 110 from the BCWMC Plan:

The BCWMC will consider including projects in the CIP that meet one or more of the following "gatekeeper" criteria.

- *Project is part of the BCWMC trunk system (see Section 2.8.1, Figure 2-14 and Figure 2-15)*
- *Project improves or protects water quality in a priority waterbody*
- *Project addresses an approved TMDL or watershed restoration and protection strategy (WRAPS)*
- *Project addresses flooding concern*

The BCWMC will use the following criteria, in addition to those listed above, to aid in the prioritization of projects:

- *Project protects or restores previous Commission investments in infrastructure*
- *Project addresses intercommunity drainage issues*
- *Project addresses erosion and sedimentation issues*
- *Project will address multiple Commission goals (e.g., water quality, runoff volume, aesthetics, wildlife habitat, recreation, etc.)*
- *Subwatershed draining to project includes more than one community*
- *Addresses significant infrastructure or property damage concerns*

The BCWMC will place a higher priority on projects that incorporate multiple benefits, and will seek opportunities to incorporate multiple benefits into BCWMC projects, as opportunities allow.

The Bryn Mawr Meadows Water Quality Project meets multiple of the gatekeeper criteria—the project would improve water quality in a priority waterbody, and would address multiple Commission goals including improving quality of stormwater runoff, protecting fish and wildlife habitat, and potentially protect against flood risks by adding flood storage volume.

2.2 Considerations

The following considerations played a key role in developing recommendations for the Bryn Mawr Meadows Water Quality Project and should continue to be evaluated through final design:

1. Maximizing the water quality benefit.
2. Minimizing permitting required to construct the project.
3. Minimizing wetland impacts.

3.0 Stakeholder Input

3.1 Onsite Meeting

A project meeting was held onsite on October 23, 2017. Attendees included Minneapolis Commissioner Michael Welch, the BCWMC administrator and engineers, City of Minneapolis staff, and MPRB staff. The BCWMC feasibility study scope and schedule were discussed. BCWMC engineers presented preliminary concept ideas. The MPRB staff shared their anticipated park reconstruction project schedule, starting with community advisory meetings that were occurring at the time of the meeting, and ending with future construction in 2021 or 2022. Attendees were informed of a design charrette MPRB would be holding in December 2017 or January 2018 for several park master plans. Bryn Mawr Meadows Park is one of the parks that would be worked on during the design charrette.

3.2 Design Charrette at MPRB

MPRB hosted a parks master plan design charrette for several parks the week of January 8, 2018. The BCWMC administrator and engineer attended the first day of the charrette and met with the planners and landscape architects working on the Bryn Mawr Meadows Park Master Plan. The design charrette team was provided with existing conditions information, including park topography, utility locations, and flood plain elevation; and preliminary concept ideas developed to date. This information was used to help develop the MPRB master plan alternatives and ensured the coordination of the master plan with the BCWMC water quality project.

3.3 Technical Stakeholder Meeting

One technical stakeholder meeting was held on January 19, 2018 at MPRB offices at 3800 Bryant Avenue South. The meeting included representatives from the City of Minneapolis, MPRB, and the Commission Engineer. The attendees discussed project scope, potential design concepts, regulatory issues, permits, and possible future conversations the City of Minneapolis would like to have with MPRB about adding flood control in this area. United States Army Corps Engineers (USACE) and Minnesota Department of

Natural Resources (DNR) staff were invited to attend the meeting, however both agencies indicated they do not need to be involved with the project unless construction work happens within Bassett Creek.

3.4 Public Stakeholder Meeting

A public stakeholder open house meeting was held on March 8, 2018 at Harrison Recreation Center in Minneapolis. The City of Minneapolis organized this meeting, which was an open house for several MPRB projects. The BCWMC administrator and BCWMC engineer attended the meeting. The BCWMC display included a watershed map, a brief project description, possible design concepts, educational materials, and information about the BCWMC. A landscape architecture firm hired by MPRB to design the Bryn Mawr Meadows Park Master Plan was situated next to BCWMC. Many conversations involved the MPRB's possible changes to the park and its programming. Residents were generally in support of the CIP design concepts.

3.5 Conference Call with Minnesota Department of Transportation (MnDOT)

At the direction of the Commission at their meeting in October 2018, a conference call was held with Beth Neuendorf and Brian Kelly from MnDOT, the BCWMC administrator, and the BCWMC engineer on November 7, 2018. The focus of the call was to better understand the function and maintenance of the Penn Pond and surge basin system. When the water level rises in Penn Pond, it flows northeast into the surge basin under I-394. The surge basin drains back to Penn Pond when the water level in Penn Pond drops. The Penn Pond outlet pipe connects to the storm sewer in Morgan Avenue. MnDOT documentation from the past ten years indicates the pond and the storm sewer need maintenance. Sediment needs to be removed from the pond and the storm sewer. There are also downspouts near the surge basin which capture drainage from I-394, but they are no longer connected to the pond. The downspouts discharge flow overland, which cause erosion. The downspouts need to be connected to the pond and the erosion needs to be repaired.

MnDOT's access to Penn Pond and the surge basin is difficult due to the location of the basins between I-394 and the railroad. The upcoming reconstruction of Bryn Mawr Park (if the timing is right) could provide MnDOT with the opportunity to readily access the pond and basin via the park and under I-394, thus avoiding tearing up the park and the subsequent repairs. MnDOT and MPRB are amenable to this idea and they are willing to coordinate schedules as the park reconstruction date gets closer. Performing maintenance on Penn pond, the surge basin, and storm sewer will result in better performance of the existing water quality features, and less sediment and pollutants reaching Bassett Creek. A properly functioning pond was assumed in the analyses of concepts for this study.

3.6 BCWMC Staff Comments

A draft version of the October 2018 draft feasibility report was provided to the BCWMC administrator and presented at the BCWMC meeting. The draft feasibility study was revised in response to the comments received. The revised draft was presented to the Commission at their October 2018 meeting. Action at

that meeting resulted in the meeting with MnDOT described above and further development of all 3 concepts with a focus on concept #3.

4.0 Water Quality Improvement Concepts

This section provides a summary of the alternatives analyzed for water quality and other improvements at Bryn Mawr Meadows Park. 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)
- 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)

The proposed concepts will reduce sediment and phosphorus loading to Bassett Creek and all downstream water bodies.

4.1 Concept 1 – Northwest Neighborhood Diversion

Concept 1 diverts stormwater runoff from 15.9 acres in the residential neighborhood west of the park into a proposed stormwater pond within the park (Figure 4-1). Soil borings indicate the site has six to fourteen feet of fill so all material excavated to create the pond may need to be disposed of offsite at a landfill. The cost estimate assumes disposal at a landfill.

The flow diversion would be installed near the intersection of Laurel Avenue West and Morgan Avenue South. Four existing catch basins on the north side of the intersection would be redirected into a proposed 15-inch storm sewer that would cross over the existing 42-inch diameter storm sewer located in Morgan Avenue South. Two additional catch basins may need to be added on Laurel Avenue West to capture the first flush of stormwater runoff. These catch basins have been included in the cost estimate for concept 1. Exact sizing of the pond and diversion storm sewer should be adjusted when the final grading reconstruction layout for the park is known.

4.2 Concept 2 – Penn Pond Low Flow Diversion

Concept 2 diverts stormwater runoff from the storm sewer in Morgan Avenue South (Figure 4-2). The diversion would be installed as far downstream as possible to capture as much untreated runoff from the surrounding neighborhood as possible, while allowing the diversion pipe to be high enough above the pond normal water level. A 12-inch low flow diversion pipe would be installed in a new storm sewer

structure, allowing the first flush flows to be diverted into the water quality pond within the park (Figure 4-2). The proposed pond was sized with a permanent volume of 3.8 acre-feet based on runoff from a 2.5-inch storm. Soil borings indicate the site has six to fourteen feet of fill so all material excavated to create the pond may need to be disposed of offsite at a landfill. The cost estimate assumes disposal at a landfill. Exact sizing of the pond and diversion storm sewer should be adjusted when the final grading and reconstruction layout for the park is known.

4.3 Concept 3 – Northwest Neighborhood Diversion and Penn Pond Low Flow Diversion

Concept 3 assumes both concepts 1 and 2 are constructed with a stormwater pond permanent volume equal to 5.4 acre-feet (Figure 4-3).

4.4 Other Concepts considered

Another concept we evaluated was to direct all flows from Penn Pond and the rest of the subwatershed downstream of I-394 through the proposed water quality pond. This concept was not fully developed because preliminary modeling showed that the pond would need to be significantly larger, and the costs and space needed to excavate additional water quality storage were prohibitive.

Infiltration is not possible on this site due to tight soils and high groundwater; however, filtration BMPs were considered. Filtration BMPs would need to be installed at a higher site elevation than the proposed water quality pond due to the proximity of groundwater, flood plain elevation, and existing storm sewer elevation. Those parameters would cause any filtration BMPs to be located south of the proposed water quality pond, closer to the proposed building. Initially a linear water feature was considered, but MPRB will likely need the area near the building and other site features to meet BCWMC's water quality requirements when the park is reconstructed; therefore, this option was not developed further.

Installation of iron-enhanced sand filtration benches along the ponds were considered but not recommended due to the proximity of groundwater keeping the site wet. If iron enhancement materials are saturated for long periods of time they will release pollutants they previously captured.

5.0 Water Quality Impacts

This section discusses impacts of the Bryn Mawr Meadows Quality Improvement Project, including estimated pollutant reductions resulting from each alternative. The BCWMC P8 model was used to evaluate anticipated pollutant removals for all concepts. Table 5-1 summarizes the results from each alternative.

Table 5-1 Estimated Annual TP Removals for Concepts 1, 2, and 3

Alternative	Estimated TP Removal (pounds/year)
Concept 1	6
Concept 2	27
Concept 3	30

6.0 Project Cost Considerations

This section presents a feasibility level opinion of cost of the evaluated concepts, discusses potential funding sources, and provides an approximate project schedule.

6.1 Opinion of Cost

The opinion of cost provided in Appendix E assumes all excavated material will need to be disposed of at a landfill. If the soils are tested and they are not contaminated, the cost for excavation and removal could be much less than what is shown in the opinion of cost. If the excavated material could be used onsite as fill for the park reconstruction project, the excavation and removal cost could be reduced by 50%.

The opinion of cost is a Class 4 feasibility-level cost estimate as defined by the American Association of Cost Engineers International (AACI International) and uses the assumptions listed below and detailed in the following sections.

1. The cost estimate assumes a 30% construction contingency.
2. Costs associated with design, permitting, and construction observation (collectively "engineering") is assumed to be 30% of the estimated construction costs (excluding contingency).

The Class 4 level cost estimates have an acceptable range of between -15% to -30% on the low range and +20% to +50% on the high range. Based on the development of concepts, it is not necessary to utilize the full range of the acceptable range for the cost estimate; and we assume the final costs of construction may be between -20% and +30% of the estimated construction budget. The assumed contingency for the project (30%) incorporates the potential high end of the cost estimate range.

The estimated capital costs and a range of 20-year to 35-year annualized costs for each alternative are summarized in Table 6-1. Detailed cost-estimate tables for all concepts considered are provided in Appendix E.

6.2 Funding Sources

MPRB proposes to use BCWMC CIP funds to pay for the Bryn Mawr Meadows Water Quality Improvement project. BCWMC would contract with the City of Minneapolis who would then subcontract with the MPRB to construct the project. The source of these funds is an ad valorem tax levied by Hennepin County over the entire Bassett Creek watershed.

A significant portion of the construction costs is the (assumed) landfill disposal of contaminated sediment. There are other funds available that could be used to help cover the costs of investigation and/or clean-up. For example, Hennepin County has non-competitive funds available to municipalities for the environmental investigation of soils. In addition, if the BCWMC or the MPRB investigates the soils and finds contamination, they can apply for Hennepin County Environmental Response Fund (ERF) grant money to aid in the clean-up effort. ERF grants are competitive and applications are accepted once per year in November.

6.3 Project Schedule

Although this project is on the BCWMC's CIP schedule for 2020, the actual project schedule is dependent on MPRB's project schedule. MPRB plans on starting design in 2021 and construction sometime in 2022. The BCWMC must hold a public hearing and order the project in time to submit its final 2020 ad valorem tax levy request to Hennepin County. The BCWMC's CIP schedule includes a placeholder of \$500,000 for this project (to be collected over two levy years: 2020 and 2021) including feasibility study costs, design, construction, contingency, and administrative costs.

7.0 Permitting, Site Impacts, and Coordination

This section discusses permitting and coordination required for each alternative.

7.1 Permitting

No disturbance or fill of any wetlands, nor any work in public waters is anticipated as part of the water quality project. An NPDES will be required if the park reconstruction is over one acre in size. MPRB and its contractors will be responsible for any permits required by the park reconstruction project.

7.2 Site Impacts and Coordination

Construction of this project would be in conjunction with the MPRB plans to reconstruct Bryn Mawr Meadows Park and would not require additional park closure beyond those already planned. Continued coordination with MPRB will be required during final design. It is assumed MPRB and MnDOT would coordinate during park reconstruction to facilitate maintenance of Penn Pond and corresponding structures.

8.0 Recommendations

Concepts 2 and 3 provide the most water quality impact/treatment and cost effectiveness, based on the cost per pound of total phosphorus removed (see Table 6-1). However, concepts 2 and 3 would cost significantly more than the originally identified \$500,000 budget for this CIP. A significant percentage of the cost in each of the options is disposal of the excavated material to create the pond, due to unknown fill present at the site. If the soils are tested and found clean, they could be used onsite or hauled offsite for use at another location resulting in a lesser project cost. The opinion of cost in the feasibility study assumes all material must go to a landfill. We recommend BCWMC or MPRB request and utilize Hennepin County grant funds to investigate the site soils and better estimate the likely cost of excavation and disposal prior to final design.

Prior to full design, we recommend that MnDOT complete a survey and investigation, or maintenance, of Penn Pond and the surge basin beneath Interstate 394. Final design of the project will need to take the survey information into account. If it is found that there is more upstream storage and treatment for the 181 acres draining to Penn Pond, the size of the proposed water quality basin can be adjusted downward accordingly. Adjusting the volume of excavation will significantly impact the cost of the project, as excavation accounts for the largest portion of the construction cost estimate.

9.0 References

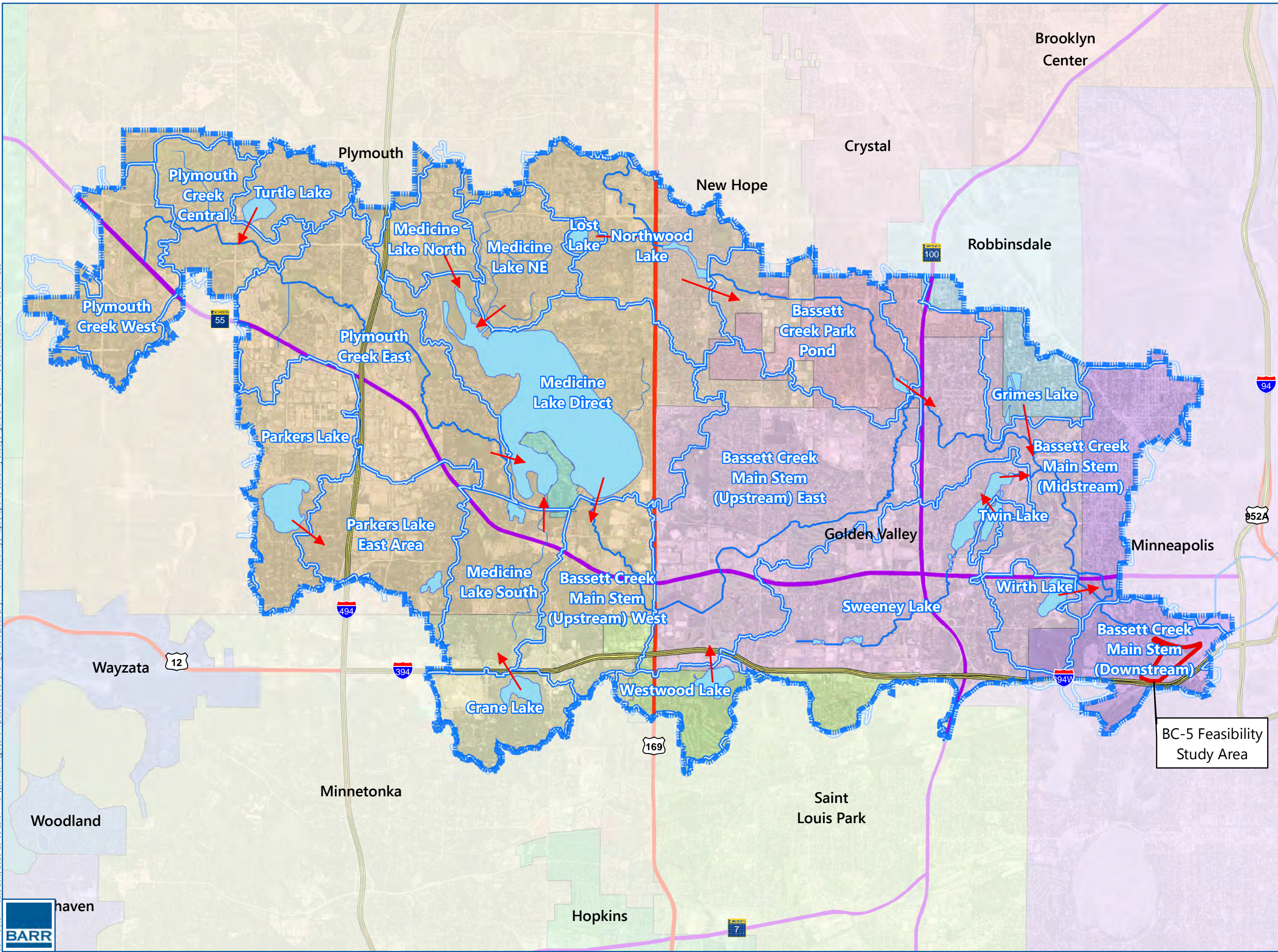
1. **Bassett Creek Watershed Management Commission.** 2015 Watershed Management Plan. September 2015.







Table 6-1 Estimated Capital and Annualized Costs for Concepts 1, 2, and 3

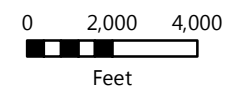
Alternative	Construction Cost	Construction Contingency ¹	Planning, Engineering, Design, and Construction Observation ²	Total Cost	Estimated TSS Removal (lbs/year)	Estimated Annualized Cost per Pound of TSS Removal (\$/lb TSS/year) ³	Estimated TP Removal (lbs/year)	Estimated Annualized Cost per Pound of TP Removal (\$/lb TP/year) ³
Concept 1 –	\$209,000	\$63,000	\$82,000	\$354,000	2,863	\$3.50-\$4.60	6	\$3,460-\$4,630
Concept 2 –	\$317,000	\$95,000	\$124,000	\$536,000	9,456	\$2.50-\$3.35	27	\$1,170-\$1,560
Concept 3 -	\$470,000	\$141,000	\$183,000	\$794,000	10,469	\$3.45-\$4.60	30	\$1,540-\$2,060

- (1) Assumed 30% contingency based on feasibility-level design (Class 4, 10-15% design completion per ASTM E 2516-06).
- (2) Assumed 30% of construction cost for Engineering, Design, and Construction Observation.
- (3) Assumed 4% interest rate and 20-year to 35-year lifespan.

Barr Footer: ArcGIS 10.6, 2018-10-08 15:07 File: \\barr.com\gis\client\BassettCreek\Work_Orders\2018\Bryn Mawr Feasibility\Maps\Report\Figure 1-1 - BCWMC Subwatersheds.mxd User: RCS2



-  Flow Directions
-  BCWMC Priority Streams
-  BC-5 Feasibility Study Area
-  Major Subwatersheds
-  Lakes and Ponds
-  BCWMC Jurisdictional Boundary

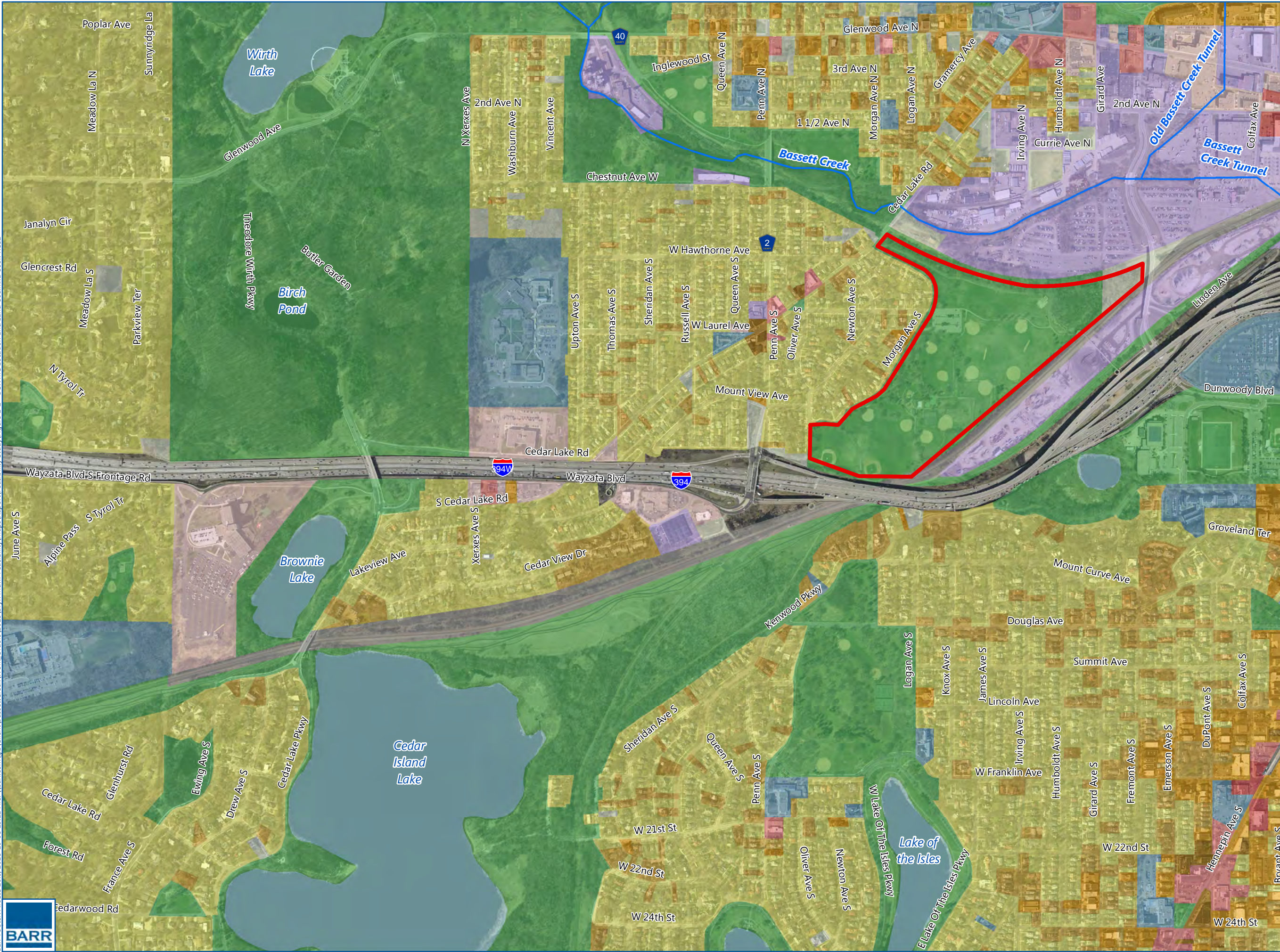


















BC-5 Feasibility Study Area

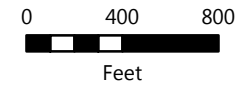
BCWMC
 MAJOR SUBWATERSHEDS
 AND DRAINAGE PATTERNS
 Bryn Mawr Meadows Park
 Water Quality Project BC-5

FIGURE 1-1





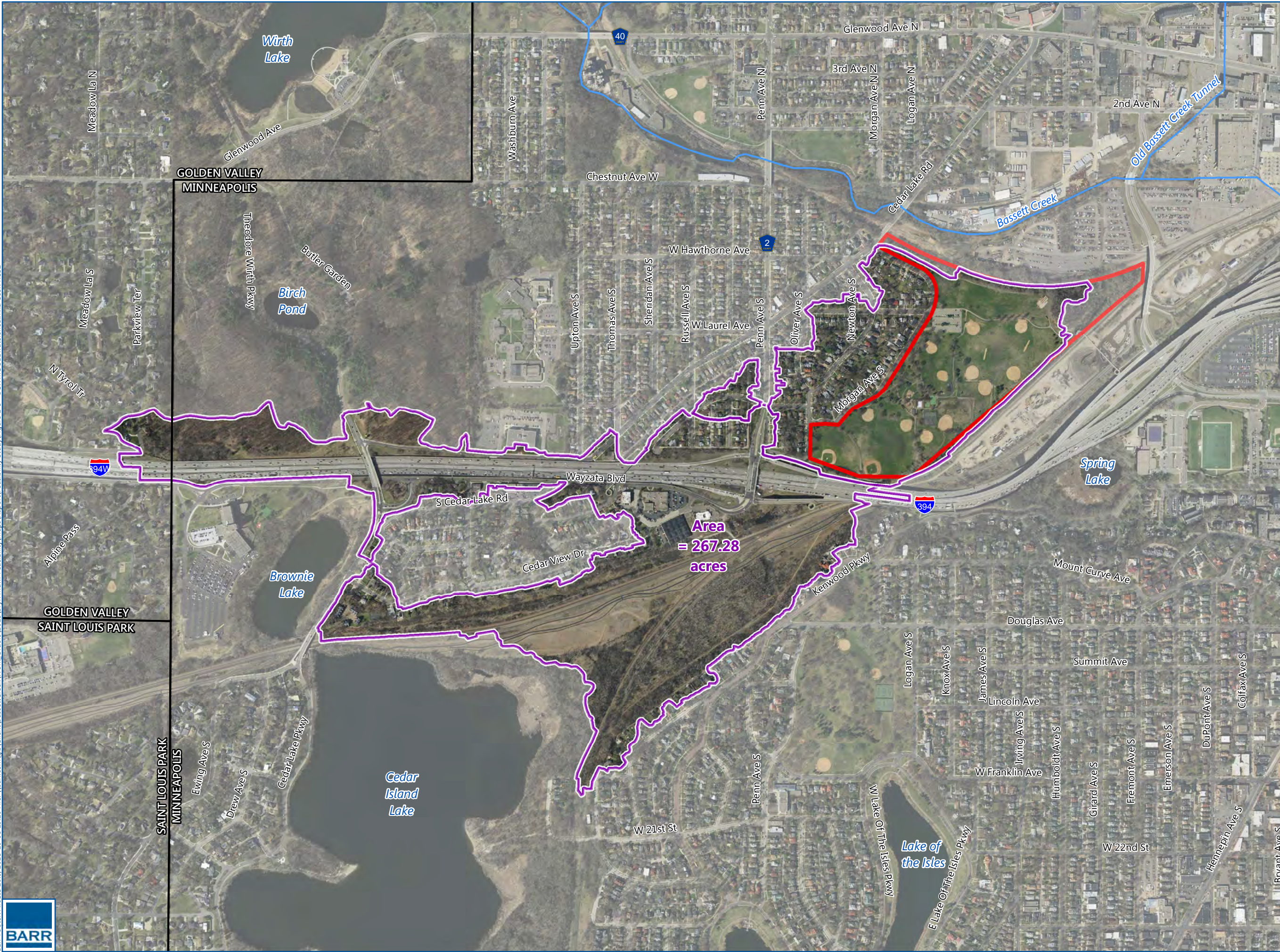
-  Creeks
-  BC-5 Feasibility Study Area
- 2016 Generalized Land Use (Met Council)**
-  Single Family Detached
-  Single Family Attached
-  Multifamily
-  Retail and Other Commercial
-  Office
-  Mixed Use Residential
-  Mixed Use Commercial and Other
-  Industrial and Utility
-  Institutional
-  Park, Recreational or Preserve
-  Railway
-  Agricultural
-  Undeveloped
-  Water



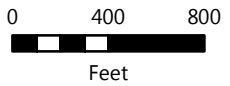
BCWMC
LOCATION AND LAND USE
Bryn Mawr Meadows Park
Water Quality Project BC-5

FIGURE 1-2





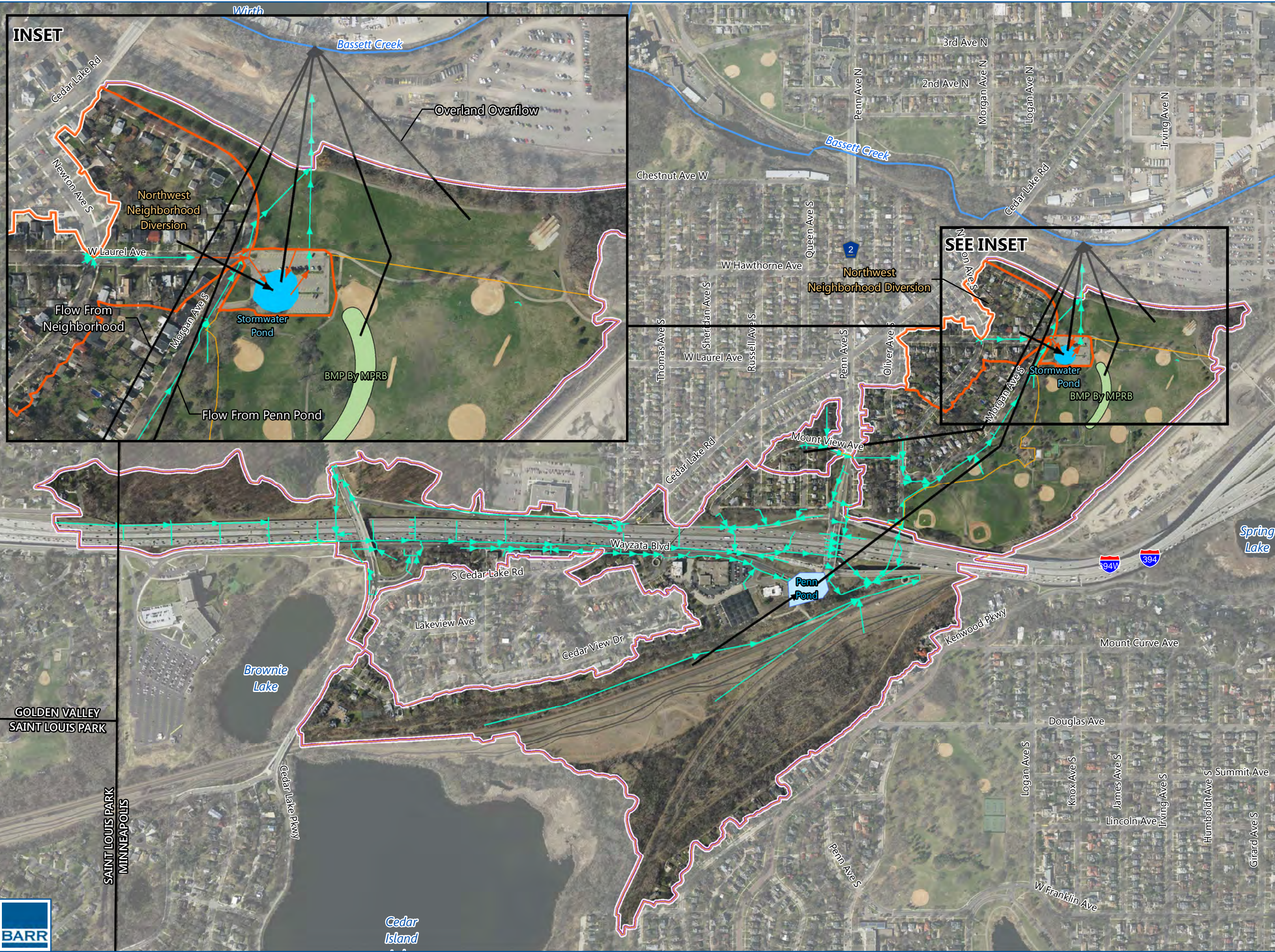
- Creeks
- Subwatershed
- BC-5 Feasibility Study Area
- Municipal Boundary



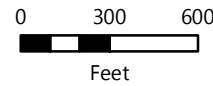
BCWMC
SUBWATERSHED
Bryn Mawr Meadows Park
Water Quality Project BC-5

FIGURE 1-3





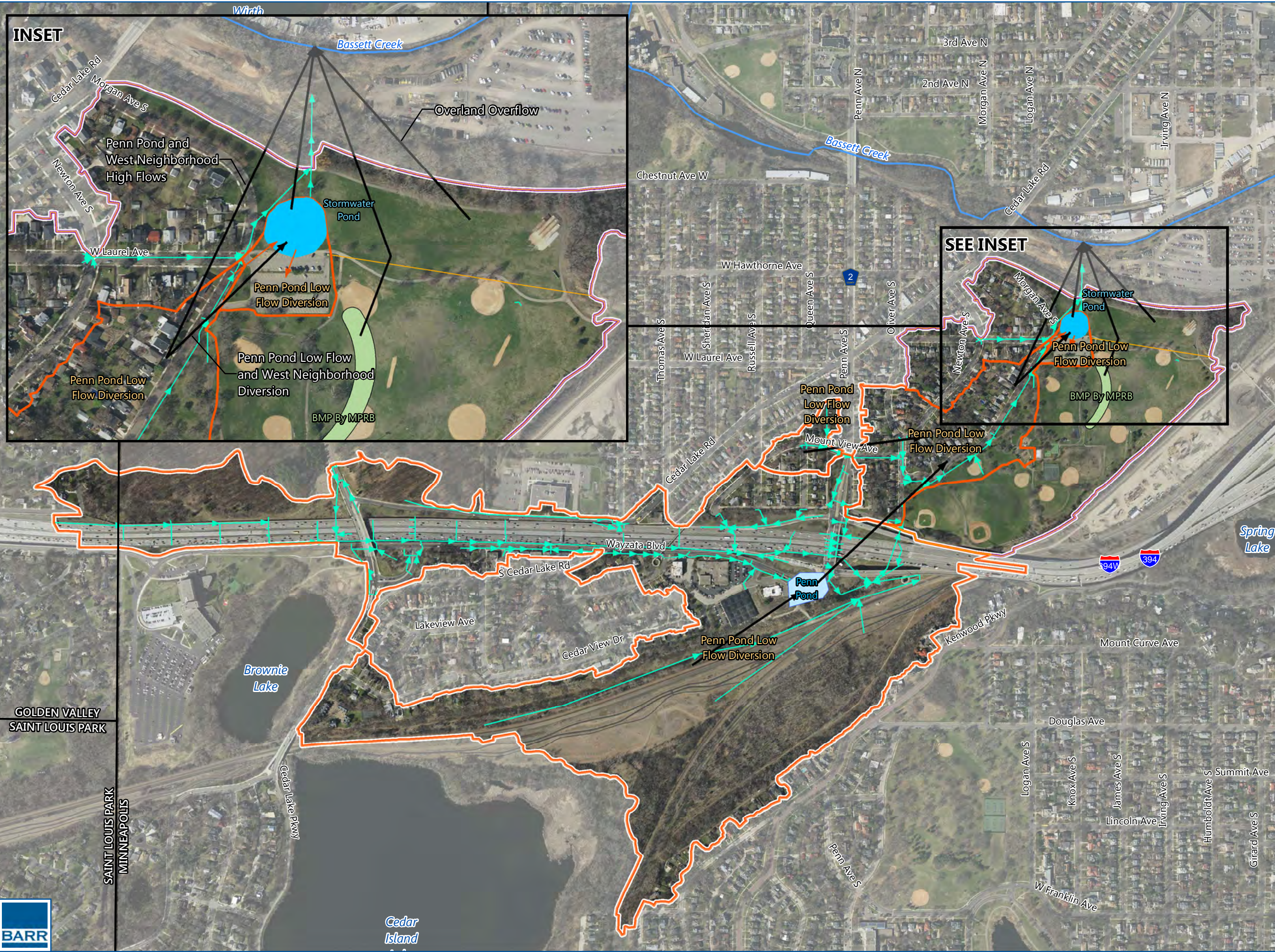
-  Creeks
-  Flow Paths
-  Proposed Storm Sewer
-  Existing Storm Sewer
-  Proposed MPRB BMP
-  Proposed Stormwater Pond
-  Existing Stormwater Pond
-  Proposed Watersheds
-  Northwest Neighborhood Diversion
-  Subwatershed
-  Municipal Boundary



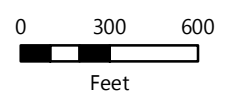
CONCEPT 1
 Northwest
 Neighborhood Diversion
 Bryn Mawr Meadows Park
 Water Quality Project BC-5
FIGURE 4-1



Barr Footer: ArcGIS 10.6, 2018-10-10 13:58 File: \\barr.com\gis\client\BassettCreek\Work_Orders\2018\Bryn Mawr Feasibility\Maps\Report\Feasibility Study\Figure 4-2 Concept 2.mxd User: RCSZ



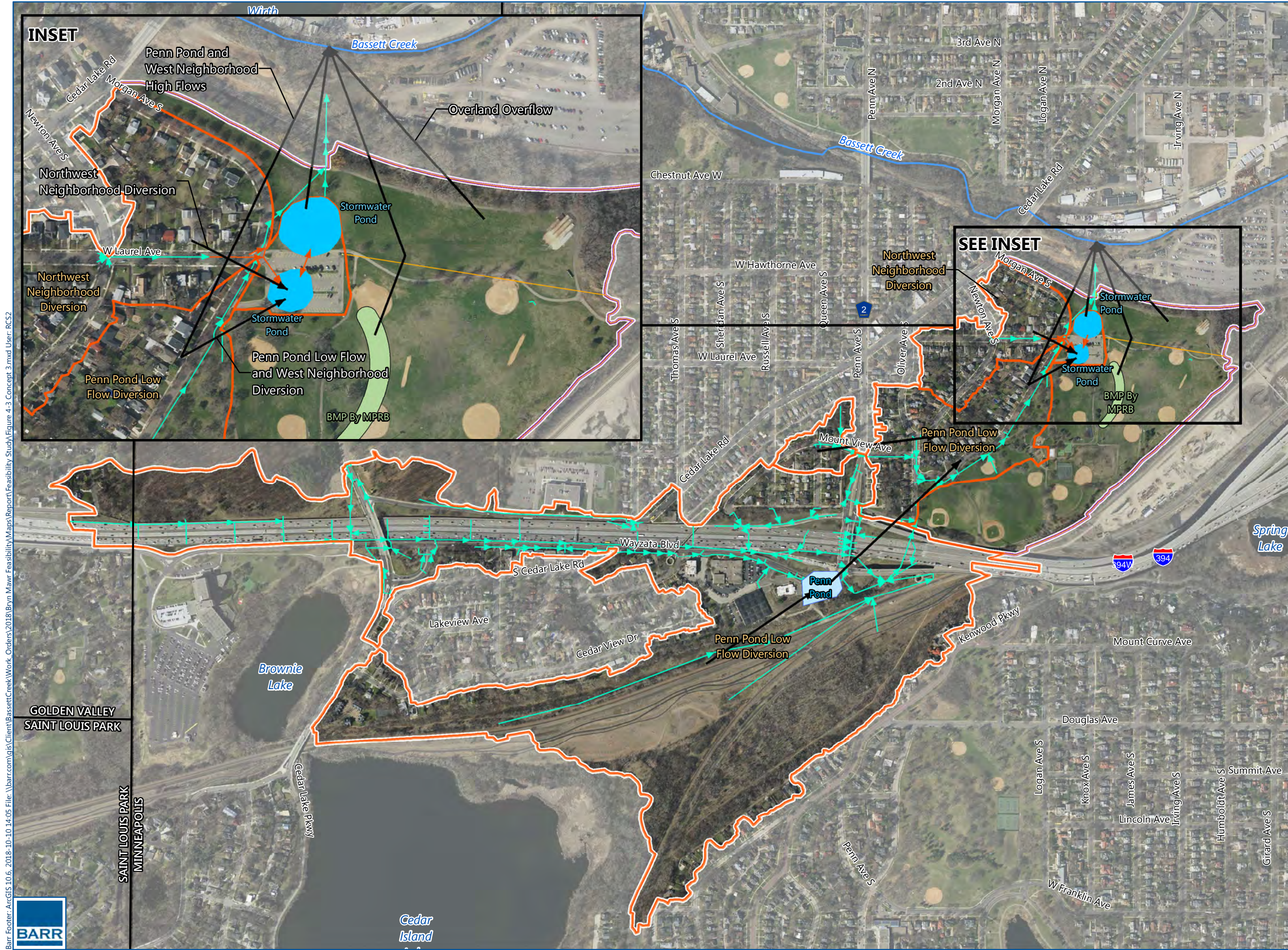
- Creeks
- Flow Paths
- Proposed Storm Sewer
- Existing Storm Sewer
- Proposed MPRB BMP
- Proposed Stormwater Pond
- Existing Stormwater Pond
- Proposed Watersheds
- Penn Pond Low Flow Diversion
- Subwatershed
- Municipal Boundary



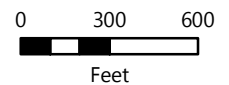
CONCEPT 2
 Penn Pond
 Low Flow Diversion
 Bryn Mawr Meadows Park
 Water Quality Project BC-5

FIGURE 4-2





- Creeks
- Flow Paths
- Proposed Storm Sewer
- Existing Storm Sewer
- Proposed MPRB BMP
- Proposed Stormwater Pond
- Existing Stormwater Pond
- Proposed Watersheds
- Northwest Neighborhood Diversion and Penn Pond Flow Flow Diversion
- Subwatershed
- Municipal Boundary



CONCEPT 3
 Northwest Neighborhood
 Diversion and Penn Pond
 Low Flow Diversion
 Bryn Mawr Meadows Park
 Water Quality Project BC-5

FIGURE 4-3

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Memorandum

To: Bassett Creek Watershed Management Commission
From: Barr Engineering Co.
Subject: Item 5B – Review Information and Consider Recommendations for Flood Control Project Deep Tunnel Inspection and Potential Tour
Date: January 10, 2019

5B. Review Information and Consider Recommendations for Flood Control Project Deep Tunnel Inspection and Potential Tour

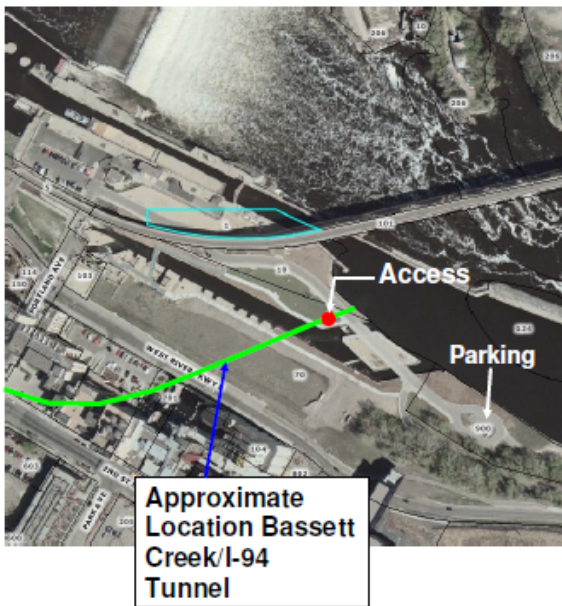
Recommendations:

1. Authorize the Administrator to allocate up to \$15,000 from the Flood Control Project Long-Term Maintenance fund to address potential “last-minute” items that may require hiring a contractor or addressing other unforeseen issues that cannot be addressed by the U.S. Army Corps of Engineers or the City of Minneapolis.
2. Gather input regarding participation and an approximate head count of the Commissioners/TAC members that may be interested in a tunnel tour.
3. If there is enough interest in the tour(s), authorize up to \$5,000 from the 2019 Surveys and Studies Fund to pay for the planning, coordination, expenses and other costs associated with holding the tour(s).
4. Request assistance from member cities in providing safety equipment for their commissioners/TAC members participating in the tour.

Bassett Creek Deep Tunnel Inspection (Second Street tunnel)

The Commission engineer was coordinating with the U.S. Army Corps of Engineers (Corps) staff to schedule the deep tunnel inspection during early November 2018. However, the water control plan was not approved and the inspection was cancelled. Based on further coordination with the Corps, the Commission engineer scheduled the Bassett Creek deep tunnel inspection for the week of February 25, 2019 to minimize navigation impacts and minimize disruptions to Xcel Energy’s operation of the St. Anthony Falls hydropower dam (see Corps news release at end of memo). The tunnel access vault is near Mill Ruins Park (see figure).

Access Location Map



At this location, the tunnel is submerged and several hundred feet of the tunnel is underwater. The middle pool— the area between the lower and upper locks—must be lowered to allow for access to the tunnel and to drain the tunnel for inspection. The inspection typically includes a 3-person inspection team, surface attendants for at least two access/emergency egress locations, a crane and man basket (subcontractor) and a standby emergency extraction team (subcontractor).

The Corps requested assistance to relocate a barge (see photo) located at the St. Anthony Falls Laboratory (SAFL). The Commission engineer asked the Corps to reach out to the Coast Guard or Corps Lock and Dam staff to relocate the barge, but this remains an open item and the Corps has since requested further assistance from the



Commission. We recommend that the BCWMC authorize the Administrator to allocate up to \$15,000 to address potential final coordination items, such as the barge relocation or other unforeseen issues, that cannot be executed by the Corps or by the City of Minneapolis, and may require retaining a contractor or obtaining specialty equipment. This authorization may prevent delaying or cancelling the inspection due to lack of funding.

Tunnel Tour

As previously discussed with the Commission, the inspection presents an opportunity for commissioners/TAC members to enter and observe portions of the tunnel. At their June 21, 2018 Commission meeting, 17 commissioners/TAC members expressed interest in a short tour of the tunnel. Several others were also interested in a longer tour, but were concerned about the additional costs of a longer tour. The BCWMC engineer tentatively scheduled a short tour of the tunnel for Wednesday February 27, 2019. There may be an opportunity for a few interested commissioners/TAC members to walk the entire tunnel (long tour) on Tuesday February 26, 2019. All tours are weather-dependent; for example, if air temperatures are 0°F or lower, we recommend cancelling the tour(s). At this meeting, we need an approximate head count of the commissioners/TAC members interested in participating in a tour.

Assuming enough commissioners/TAC members are interested in participating in a tour, there are several logistical items regarding planning, safety, confined space entry, equipment (hard hats, headlamps or flashlights, safety harnesses, safety glasses, waders, high-visibility vests), etc. to be considered and planned. Ideally, each city would outfit their commissioners/TAC members participating in the tour with the referenced safety equipment (Barr also has some extra gear that can be used).

Immediately following the February 21, 2019 Commission meeting, we recommend providing the interested tour participants with a 15-20 minute combined orientation and safety training regarding the inspection and the tour. The BCWMC engineer would lead the orientation/training.

Tour conditions/considerations:

- There may be 1 – 2 feet of water flowing in the tunnel. Hip boots or chest waders may be needed.
- Access to the tunnel would be via the vault approximately 100 feet upstream of the tunnel outlet (access from tunnel outlet is not likely).
- Participants would use a ladder at the access vault to descend approximately 12 feet to the bottom of the tunnel.
- Short duration tour: After entering the tunnel, walk approximately 100 ft. downstream to tunnel outlet (great view of stone arch bridge), then walk approximately 400 ft. upstream to the cathedral arch tunnel section, then return to ladder and exit tunnel. This may be the best manageable approach and will allow several commissioners/TAC members to access the tunnel in shifts (approximately 20-30 minutes in tunnel, and 30-70 feet underground).
- Long duration tour: After entering the tunnel, walk the entire 2nd Street Tunnel (5,146 feet), walk the 3rd Avenue Tunnel (1,450 feet) to bottom of drop structure, return to ladder and exit tunnel (a few hours in the tunnel, walking approximately 2.5 miles round trip, and 80-95 feet underground).

Budget

The tour could be performed under the BCWMC's Surveys & Studies budget (2019 budget = \$20,000) and any unused funds from the Flood Control Project inspection budget. The budget is anticipated to be up to \$5,000 for the planning, coordination, expenses and other costs associated with holding the tour(s).

General Bassett Creek Tunnel Information

The Bassett Creek tunnel was constructed in three phases:

- Phase 1: 2nd Street Tunnel (constructed by MnDOT during 1979). The 2nd Street tunnel generally consists of a concrete-lined 12-foot arch tunnel along 2nd Street North in Minneapolis. The entire tunnel is approximately 8,900 feet long; however, the portion that conveys Bassett Creek is 5,146 feet. The 2nd Street tunnel was designed to convey runoff from Interstate 94 and 394, as well as Bassett Creek.
- Phase 2: 3rd Avenue Tunnel and Drop Structure (constructed by the Corps during 1990). The 3rd Avenue tunnel generally consists of a concrete-lined 13-foot arch tunnel, 1,450 feet long, along 3rd Avenue North in Minneapolis. The tunnel was constructed to convey Bassett Creek flow from the drop structure to the 2nd Street tunnel.
- Phase 3: Twin Box Culvert (constructed by the Corps during 1992). This phase included 5,572 feet of box culvert—5,256 feet of 11-foot by 11-foot twin box culvert and 316 feet of 11-foot by 11-foot single box culvert (near the drop structure and inlet structure).

More information is available on the BCWMC website under “Commissioner Orientation” materials (under “About”):

<http://www.bassettcreekwmo.org/application/files/6914/4424/7362/FloodControlProjectandTunnel.pdf>.

ST. PAUL DISTRICT

News Release

Jan. 8, 2019

MVP-PA-2019-003

Patrick Loch: 651-290-5679, 651-315-3887, patrick.g.loch@usace.army.mil

Shannon Bauer: 651-290-5108, 612-840-9453, shannon.l.bauer@usace.army.mil

**Corps seeks comments on plan to temporarily lower
Mississippi River elevation near St. Anthony Falls**

ST. PAUL, Minn. – The U.S. Army Corps of Engineers, St. Paul District, is seeking comments on a plan to briefly lower the Mississippi River elevation south of the St. Anthony Falls for an inspection of the Bassett Creek Tunnel with the initial inspection to take place next month.

The Bassett Creek Watershed Management Commission requested the Corps lower the river so the organization can complete a tunnel inspection. The commission would like to do this every 10 years. The Corps is proposing to lower the river by 13 feet to an elevation of 737.0 feet to facilitate these inspections.

The tentative target period for the initial inspection is scheduled for Feb. 25 – March 1. The exact date could be delayed by a week if weather conditions warrant. The inspection should last no more than 5-7 days. The river elevation is expected to be restored to its normal level within four days following the inspection.

The Corps released a draft programmatic Environmental Assessment, or EA, and is seeking public comments until Feb. 8, 2019, on the proposal to lower the river elevation between Upper and Lower St. Anthony Falls dams. The draft EA describing the project and the environmental impacts is available to the public and can be viewed and downloaded on the St. Paul District website at: www.mvp.usace.army.mil/Home/PublicNotices.aspx.

Questions on the project or comments on the EA can be directed to Derek Ingvalson at 651-290-5252 or Derek.S.Ingvalson@usace.army.mil. Please address all formal written correspondence on this project to the U.S. Army Corps of Engineers, St. Paul District, ATTN: Regional Planning and Environment Division North, 180 5th St. E., Suite 700, St. Paul, MN 55101.

NOTE TO EDITORS: For coverage of the intermediate pool during drawdown, please coordinate with Patrick Loch, 651-290-5679 or patrick.g.loch@usace.army.mil, for information on specific dates/times of the drawdown and media availability.

ABOUT US: The nearly 650 U.S. Army Corps of Engineers, St. Paul District, employees working at more than 40 sites in five upper-Midwest states serve the American public in the areas of environmental enhancement, navigation, flood damage reduction, water and wetlands regulation, recreation sites and disaster response. Through the St. Paul District Fiscal Year 2018 \$106 million budget, nearly 1,700 non-Corps jobs were added to the regional economy as well as

\$163 million to the national economy. Learn more at www.mvp.usace.army.mil or visit our social media sites at:



U.S. ARMY CORPS OF ENGINEERS – ST. PAUL DISTRICT
180 5th St. E, St. Paul, MN 55101



Bassett Creek Watershed Management Commission

MEMO

To: BCWMC Commissioners
From: Laura Jester, Administrator
Date: January 9, 2019

RE: Updates on Minnesota Association of Watershed Districts (MAWD) and Metro MAWD

I have been in contact with MAWD's Executive Director, Emily Javens, and the coordinator of Metro MAWD, Mark Doneux. I have the following updates and recommendations.

1. Next MAWD event = Legislative Reception (afternoon/evening of Feb 20th), and Day at the Capitol (breakfast and all day Feb 21st). Cost is \$100/participant (increases to \$125 after Feb 13th).
 - a. No agenda yet available
 - b. Afternoon session (Feb 20th) to hear, learn, and review MAWD's legislative priorities
 - c. Evening reception with legislators (Feb 20th) Each organization is encouraged to invite their own representatives.
 - d. Breakfast Feb 21st (coincides with BCWMC meeting day) and meetings with individual legislators. Meetings are arranged by each organization's staff or board members.
 - e. Some additional information is available online and the agenda will be available by the end of January: <https://www.mnwatershed.org/legislative-breakfast-day-at-the-capitol/>.
2. MAWD appoints 4 watershed administrators to represent them on the State's Local Government Water Roundtable's Advisory Committee. The MAWD Board of Directors is inviting the BCWMC Administrator hold one of those positions in 2019. This would entail attending 3 to 4 meetings during the year, which may rotate to different areas of the State. This Advisory Committee has been an influential group in the past, having been tasked with developing white papers to inform State policy on watershed planning, management, and funding. The Commission should determine whether or not to accept this position and send me to the meetings. My time would be covered under the Administrator budget line. There may be travel and lodging costs to attend non-metro meetings. These potential costs are unknown.
3. BCWMC Commissioners will be added to the Metro MAWD email list and can expect emails from coordinator Mark Doneux (Capitol Region Watershed District Administrator).
4. Next Metro MAWD meeting is scheduled for Tuesday, January 29th at 7:00 p.m. at the Capitol Region Watershed District Office in St. Paul. The meeting is geared for watershed managers and commissioners. I do plan to attend this meeting to learn more about the group. Metro MAWD meetings are typically held on the evening of the third Tuesday once a quarter. (January meeting was delayed a week for various reasons.) Future meeting dates this year = April 16, July 16, October 15. Agendas and past meeting materials are available here: <https://www.mnwatershed.org/metro-mawd/>.
5. An invoice for 2019 MAWD member dues of \$500 will be on the February BCWMC agenda. Dues for 2020 are still unknown but are likely to be around \$5,000.



Bassett Creek Watershed Management Commission

MEMO

Date: January 9, 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 December) 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. In September, the City of Golden Valley approved the agreement with the BCWMC. The [Sun Post](#) ran an article on this project October 2. Another public open house and presentation of 50% designs are expected in February. An EAW report was completed and is available for public review and comment December 17 – January 16. Project website: <http://www.bassettcreekwmo.org/index.php?cid=433> .

2020 Bryn Mawr Meadows Water Quality Improvement Project (BC-5), Minneapolis (Item 5A): 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 discussed Penn Pond function and maintenance with MnDOT to better understand treatment options. The final feasibility study will be presented at this 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) St. Louis Park (No change since Nov): 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 printed [an article](#) on the project in October. 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 approved and a construction company was awarded the contract. A pre-construction meeting was held December 14th. 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 biologists 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. 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

- Reviewed final feasibility study for Bryn Mawr Meadows Water Quality Project

Administration and Education

- Reviewed revised matrix for CIP Prioritization Committee and scored past projects
- Prepared and distributed agenda and materials for CIP Prioritization Committee meeting and attended meeting
- Participated in BWSR Watershed Based Funding forum, representing watershed management organizations
- Drafted and distributed solicitation for letters of interest proposals from legal and engineering firms
- Reviewed draft January education press release
- Communicated with partners re: AIS grant application
- Developed resolutions for January meeting
- Coordinated with contractors (Wenck and Lawn Chair Gardener) to receive proposals and develop contracts for 2019 work
- Attended WMWA meeting and Women Administrators meeting
- Discussed MAWD and Metro MAWD with executive director and coordinator, respectively

TO: ADMINSTRATORS AND BOARD MEMBERS – Bassett Creek WMC

FROM: Malloy, Montague, Karnowski, Radosevich & Co., P.A.
5353 Wayzata Boulevard, Suite 410
Minneapolis, MN 55416

DATE: December 31, 2018

SUBJECT: Auditors Compliance, M.S. 471.87 – Public Officers’ Interest in Contracts

Per Minnesota Statute § 471.87, a public officer who is authorized to take part in any manner in making any sale, lease, or contract in official capacity shall not voluntarily have a personal financial interest, *directly or through a family member including his or her partner*, in that sale, lease, contract, or personally benefit financially therefrom.

To document compliance with this statute, we request that you complete the following:

Name _____

Principal place of business _____

Partner’s name _____

Partner’s principal place of business _____

Family member(s) _____

Family member’s place of business _____

I hereby certify that during the 2018 fiscal year (February 1, 2018 – January 31, 2019), I **have not** had a financial interest in the sale, lease, or contract of the BCWMC nor have I personally benefited from any such transaction.

By: _____

Title: _____

Date: _____

If you, *directly or through a family member or partner*, **have** had a financial interest in the sale, lease, or contract with the BCWMC, please describe below.

