



Item 4A.  
BCWMC 4-18-19

## Bassett Creek Watershed Management Commission

### DRAFT Minutes of Regular Meeting

Thursday, March 21, 2019

8:30 a.m.

Golden Valley City Hall, Golden Valley MN

#### 1. CALL TO ORDER and ROLL CALL

On Thursday, March 21, 2019 at 8:32 a.m. in the Council Conference Room at Golden Valley City Hall (7800 Golden Valley Rd.), Vice Chair Prom called the meeting of the Bassett Creek Watershed Management Commission (BCWMC) to order.

#### Commissioners and city staff present:

City	Commissioner	Alternate Commissioner	Technical Advisory Committee Members (City Staff)
Crystal	Dave Anderson	Vacant Position	Mark Ray
Golden Valley	<i>Absent</i>	<i>Absent</i>	Eric Eckman and Jeff Oliver
Medicine Lake	Clint Carlson	Gary Holter	<i>Absent</i>
Minneapolis	Michael Welch	Vacant Position	Liz Stout
Minnetonka	<i>Absent</i>	Bill Monk	Sarah Schweiger, Will Manchester
New Hope	<i>Absent</i>	Pat Crough	Megan Hedstrom
Plymouth	Jim Prom	<i>Absent</i>	Vanessa Strong
Robbinsdale	Michael Scanlan	<i>Absent</i>	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	Dave Anderson, Kennedy & Graven		
Presenters/ Guests/Public	Meg Rattei (Barr), Jake Newhall (WSB), Evan Bisbee (SWLRT), Catherine Cesnik (Plymouth resident)		

**2. CITIZEN FORUM ON NON-AGENDA ITEMS**

No citizens present. Introductions were made around the table. Chair Prom stated he thought it was valuable to have so much expertise in the room.

**3. APPROVAL OF AGENDA**

**MOTION:** Commissioner Welch moved to approve the agenda. Commissioner Carlson seconded the motion. Upon a vote, the motion carried 8-0, with the City of Golden Valley absent from the vote.

**4. CONSENT AGENDA**

Commissioner Welch requested to pull item 4F (approval of Southwest Light Rail Transit Project) off of the consent agenda and move to 5A.

**MOTION:** Commissioner Scanlan moved to approve the consent agenda as amended. Commissioner de Lambert seconded the motion. Upon a vote, the motion carried 8-0, with the City of Golden Valley absent from the vote.

The following items were approved as part of the consent agenda: February 21, 2019 Commission meeting minutes, acceptance of the March 2019 financial report, payment of invoices, approval to reimburse Commissioner Scanlan for 2019 Water Summit, approval of Golden Valley 2019 Pavement Management Program Project, approval to appoint Golden Valley Staff Drew Chirpich to Education Committee, approval to execute agreement with Hennepin County for AIS Prevention Grant.

The general and construction account balances reported in the March 2019 Financial Report are as follows:

Checking Account Balance	\$ 792,119.31
<b>TOTAL GENERAL FUND BALANCE</b>	<b>\$ 792,119.31</b>
<b>TOTAL CASH &amp; INVESTMENTS ON-HAND (03/13/19)</b>	<b>\$ 3,613,385.47</b>
CIP Projects Levied – Budget Remaining	\$ (4,682,820.63)
Closed Projects Remaining Balance	\$366,564.84
2012-2017 Anticipated Tax Levy Revenue	\$7,045.36
2018 Anticipated Tax Levy Revenue	\$10,316.57
Anticipated Closed Project Balance	\$383,926.77

## 5. BUSINESS

### A. Approval of Southwest Light Rail Transit Project (4F of Consent Agenda)

Commissioner Welch asked why this was on the agenda since the engineer's recommendations indicate that a thorough review hasn't been completed. Commission Engineer Chandler explained that it is a complex project and that it's difficult to know what aspects changed from the last time the project was approved. She also noted that additional information was sent at the last minute regarding the storm water management plans. She noted that overall the project plans look good but she felt the recommendations needed the caveat that some additional review is still needed. She reported staff is currently in the middle of reviewing it and are feeling comfortable with the plans.

Commissioners Welch pointed out that this is a big public works project and that this project may impact the Commission's Bryn Mawr Water Quality Improvement Project. Engineer Chandler agreed that more stormwater will be directed to Penn Ponds. Alternate Commissioner Monk asked about the timeline for review and approval. Mr. Bisbee replied that construction is starting soon. Commissioner Welch indicated he didn't see any reason to hold up approval if the review by the Commission engineers continues to be routine.

**MOTION:** Commissioner Welch moved to approve Southwest Light Rail Transit Project with acknowledgement that conditions must be met. Commissioner Scanlan seconded the motion.

Discussion: Commission Attorney Anderson summarized that the Commission would be approving the project with conditions. He noted that those conditions should be met or the Commission will have to take affirmative action.

Upon a vote, the motion carried 8-0, with the City of Golden Valley absent from the vote.

### B. Consider Approval of Crane Lake Feasibility Study

Administrator Jester reminded the Commission that in September, the Commission reviewed and discussed the draft feasibility study for this project, which is to be constructed in conjunction with the Ridgedale Drive Reconstruction Project in Minnetonka. Ms. Schweiger, from the City of Minnetonka, told the Commission that the city appreciated the partnership and she outlined the project budget and the city's proposed financial contribution.

Jake Newhall with WSB reviewed the three options proposed in the feasibility study, noting that that they focus on removing total phosphorus and total suspended solids. He noted that much of the area is already receiving stormwater treatment, except for 13.3 acres that currently flow directly into Crane Lake.

[Commissioner Carlson departs, Alternate Commissioner Holter becomes Medicine Lake voting member.]

Mr. Newhall reviewed the following options:

- Option 1 – Construct an underground treatment system beneath the existing Sheraton Minneapolis West hotel parking lot.
- Option 2 – Construct an underground treatment system beneath a proposed park just east of Ridgedale Drive. This option also includes some education opportunity in the new park.
- Option 3 – Construct an underground treatment system beneath a proposed park just east of Ridgedale Drive to act as pre-treatment (Option 2) before being pumped to a sand infiltration/filtration system in the Crane Preserve Park. This option also includes a better educational component in the new park.

Mr. Newhall reported that the city is recommending option 3. He noted the Ridgedale Drive Reconstruction Project is a 2-year construction project and that the park and BMP construction would be in early 2020.

Mr. Newhall also reported that the city has contacted Met Council (MCES) about using sanitary sewer for disposal of chloride contaminated effluent. He reported that MCES established a chlorides team to review all sources of chlorides in the sewer system and present findings to their team in the spring of 2019. He noted that for this project, the city is no longer seeking the ability to use the sanitary sewer system for chloride contaminated effluent, but that it's good to see the Met Council is taking a close look at the situation.

Commissioner Monk stated that the Commission should stay informed of what the MCES chloride team decides. He also had question about pipe size and size of storm this system will be able to handle. Mr. Newhall replied that just under first half inch of rain can be stored in the underground tank.

Commissioner Scanlan noted concern about the prospect of putting chloride-laden stormwater into the sanitary sewer and wondered about the precedence it could set. Commissioner Welch pointed out that Crane Lake is impaired chlorides, not nutrients and he wondered how this project fits into the overall CIP program.

Administrator Jester pointed out that Crane Lake isn't impaired for nutrients but this is a good opportunity to be proactive and to capture and treat over 13 acres of currently untreated runoff.

Alternate Commissioner Monk said we should try to improve even unimpaired waters when an opportunity arises and he noted this is a good innovative project. He wondered, instead, how the cost split between the city and the Commission was calculated and wondered about the timing needs of the city.

Mr. Manchester, from the City of Minnetonka, explained that the project is not under a time constraint right now. Their city is spending a total of \$12 million on the Ridgedale Drive Reconstruction Project and wanted to partner with BCWMC to provide stormwater treatment and education. Option 1 includes land acquisition, but that's too expensive. Option 3 has a better educational component. Chair Prom pointed out that the question of who pays which percentage is a larger discussion.

**MOTION:** Alternate Commissioner Monk moved to approve implementing Option 3 of the Crane Lake Improvement Project Feasibility Study with further analysis on the cost share with the city. Commissioner de Lambert seconded the motion.

**Discussion:** Administrator Jester and Engineer Chandler reported that the proposed cost sharing in this instance is in line with the Watershed Plan and current fiscal policies. They noted that typically, the Commission pays for 100% of project costs and cities have the ability to provide funding to improve or expand the project. Administrator Jester was asked to send the fiscal policies related to CIP funding to commissioners.

VOTE: Upon a vote the motion failed with Alternate Commissioner Crough voting aye and all others voting nay.

**MOTION:** Commissioner Welch moved to approve the Commission Engineer's recommendations and to move forward in implementing Option 3 of the Crane Lake Improvement Project Feasibility Study. Commissioner Scanlan seconded the motion. Upon a vote, the motion carried 8-0, with the City of Golden Valley absent from the vote.

### **C. Receive Presentation on 2018 Lake Monitoring Results**

Commission Engineer Chandler introduced Meg Rattei with Barr Engineering. Ms. Rattei proceeded with a presentation on the monitoring results from Westwood Lake and Parkers Lake in 2018. She reported that Parkers Lake has been impaired for chlorides since 2014 and she noted that imperviousness in the lake's watershed was found to be related to chloride levels. She reported that in 2018, every sampling date had chloride levels above the standard of 230 mg/l and that the northern sub-watershed had the highest chloride loading. Parkers Lake meets standards for total phosphorus and chlorophyll a. There are no significant changes in transparency. The lake plant index of biological integrity (IBI), which measures the numbers and quality of species, will be used in the future to assessment for biological impairments. Parkers Lake plant quality was below the floristic quality standard in August. Ms. Rattei also reported the lake is suitable for most of the six most concerning AIS.

Ms. Rattei then reported on monitoring on Westwood Lake. She noted it is a shallow lake so it has different water quality standards than Parkers Lake, which is a deep lake. In short, the chlorides are very low, the total phosphorus and chlorophyll a are excellent and trends are stable. Secchi disc transparency is good, and plant IBI is very good. Of note is the bearded stonewort – a new plant that has greatly expanded and displaced other species. This is a new species to MN and it was found in 34% of the samples. Westwood Lake is suitable for rusty crayfish and faucet snail. The recommendation is to further investigate the bearded stonewort situation to determine if this plant represents a potential problem in the lake.

There was some discussion about whether BCWMC CIP projects have positively impacted the lake. Ms. Strong, from the City of Plymouth, noted that chloride reduction measures in the northern subwatershed of Parkers Lake are difficult to implement as the area is largely multifamily and commercial properties with much impervious surface. Mr. Francis noted that since the nature center surrounds Westwood Lake and doesn't allow outside watercraft, AIS may be less of a threat there.

**D. Consider Approval of Resolution 19-07 in Support of Chloride Limited Liability Legislation**

Administrator Jester reported that HF1502 and SF1667 are working their way through the legislature with the goal of limiting the liability of those that apply chloride deicers. She noted it might be appropriate for the Commission to pass a resolution of support.

Chair Prom asked for clarification on who would actually see limited liability if the legislation passes. Commissioner Welch responded that property owners are defined as people who hire certified contractors.

**MOTION:** Commissioner Scanlan moved to approve Resolution 19-07 in Support of Chloride Limited Liability Legislation. Commissioner Welch seconded the motion. Upon a vote, the motion carried 8-0, with the City of Golden Valley absent from the vote.

**E. Consider Recommendations from Education Committee**

*i. 2019 Education Budget*

Administrator Jester explained that the Education Committee met on March 7<sup>th</sup> and that their proposed budget is included in the packet. Commissioner Scanlan asked how this budget compared with last year's budget. Administrator Jester noted that it is similar with the difference being the 50<sup>th</sup> anniversary event with \$7,000 budgeted for tour, event, and commemorative document.

**MOTION:** Commissioner Scanlan moved to approve the 2019 education budget as presented. Commissioner de Lambert seconded the motion. Upon a vote, the motion carried 8-0, with the City of Golden Valley absent from the vote.

*ii. Contract with Lawn Chair Gardener*

**MOTION:** Commissioner de Lambert moved to approve the contract with Lawn Chair Gardener. Alt. Commissioner Crough seconded the motion. Upon a vote, the motion carried 8-0, with the City of Golden Valley absent from the vote.

*iii. Update on 50th Anniversary Event Planning*

Administrator Jester updated the Commission that the event will be held on June 27. She noted a "save the date" email would be sent to a long list of invitees soon. She also noted she is working to secure a keynote speaker.

**F. Consider Approval of Final Report for Bassett Creek Main Stem Restoration Project (2015CR)**

Mr. Eckman, from the City of Golden Valley, gave an overview of the project outcomes and final report. He noted that the report shows that monitoring at the Met Council WOMP station at the outlet of the watershed shows a significant reduction in total suspended solids and total phosphorus indicating that projects like these are working to improve water quality.

[Commissioner de Lambert departs.]

Mr. Eckman noted that design plans for this project were approved by the Commission in June 2015 and construction (phase 1) took place in the winter of 2015/2016. Vegetation establishment and management (phase 2) continued from 2016 through 2018. He reported that it worked well to have a separate contractor to work directly with native plant establishment and initial maintenance. He reported that the project required working with over 70 property owners and that only one property owner along the corridor didn't participate in the project. He

reported the project was completed on time and under budget and that individual owners will be maintaining the private portions. He noted the property owners were given instructions on maintenance and that city staff will follow up with anyone that has questions or needs assistance.

**MOTION:** Commissioner Scanlan moved to approve the Final Report for Bassett Creek Main Stem Restoration Project. Commissioner Anderson seconded the motion

**Discussion:** Commissioner Welch commented that the City of Golden Valley did an excellent job working with 70 different landowners. On the flip side, the Commission is investing over a million dollars and relying on private property owners to maintain most of the restoration. He wondered if maintenance easements should be pursued. Commissioner Welch requested that the administrator coordinate efforts and check on how things are looking in a few years.

Commission Engineer Chandler asked if the city can offer for private landowners to buy into the city's vegetation management contract. Mr. Oliver noted that would be difficult for the city to coordinate. Ms. Strong offered that the noxious/invasive weed ordinance might help keep projects from getting out of hand.

Ms. Pape added that a targeted hands-on workshop where an expert could walk the area with the residents and help them with questions would be beneficial. This might be an ideal project to bring in Hennepin County Master Gardeners who are knowledgeable about native plants.

Commissioner Welch suggested to bring this item to the Education Committee to supply the proper materials to homeowners. Ms. Pape responded that the educational materials exist already and it wouldn't be hard to offer resources. The main problem with maintenance is the actual implementation. Going from guidebook or handout to on the ground identification is very challenging. Most people need personal one-on-one assistance.

**MOTION:** Commissioner Welch moved to amend the prior motion and have the administrator coordinate efforts to maintain buffers and bring information back in 3 years. Commissioner Scanlan seconded the motion. Upon a vote, the motion carried 7-0, with the Cities of Golden Valley and St. Louis Park absent from the vote.

**VOTE on original motion:** Upon a vote, the motion carried 7-0, with the Cities of Golden Valley and St. Louis Park absent from the vote.

**G. Consider Approval of Final Reimbursement Request for Bassett Creek Main Stem Restoration Project**

**MOTION:** Commissioner Welch moved to approve the final reimbursement request for Bassett Creek Main Stem Restoration Project. Commissioner Scanlan seconded the motion. Upon a vote, the motion carried 7-0, with the Cities of Golden Valley and St. Louis Park absent from the vote.

**H. Consider Approval to Amend Agreement with City of Crystal for Winnetka Pond Dredging Project**

Administrator Jester noted that the Commission approved additional funding for this project contingent on the funds being available in the Commission's Closed Project Account. She reported that with the approval of the above motion, there is \$383,926.77 in the account.

**MOTION:** Commissioner Anderson moved to approve the amendment to the agreement with the City of Crystal for Winnetka Pond Dredging Project. Alternate Commissioner Monk seconded the motion. Upon a vote, the motion carried 6-1, with Minneapolis voting against the motion and all others voting for the motion. The Cities of Golden Valley and St. Louis Park were absent from the vote.

**I. Consider Resolution 19-08 to Approve St. Louis Park Surface Water Management Plan**

Commission Engineer Chandler reported that she reviewed the St. Louis Park Surface Water Management Plan and provided comments to the city on December 3rd. The city revised the plan according to the Commission's comments and the plan is consistent with the Bassett Creek Watershed Management Plan and requirements. She recommended approval of the resolution approving St. Louis Park's Surface Water Management Plan with the

caveat that if additional changes are made to the plan to satisfy other watershed requirements, the provisions applicable to the BCWMC remain unchanged.

**MOTION:** Commissioner Welch moved to approve St. Louis Park Surface Water Management Plan. Alternate Commissioner Crough seconded the motion. Upon a vote, the motion carried 7-0, with the Cities of Golden Valley and St. Louis Park absent from the vote.

**J. Consider Resolution of Appreciation for Alternate Commissioner John Byrnes**

Administrator Jester reported that Alternate Commissioner Byrnes is moving to Minnetonka and will no longer be able to represent Plymouth on the Commission. She noted John was an active member of the Commission and his service was greatly appreciated.

**MOTION:** Commissioner Welch moved to approve the resolution of appreciation for Alternate Commissioner John Byrnes. Commissioner Prom seconded the motion. Upon a vote, the motion carried 7-0, with the Cities of Golden Valley and St. Louis Park absent from the vote.

**6. COMMUNICATIONS**

**A. Administrator's Report**

- i. AIS Prevention Grant. Administrator Jester went through the details of the grant that was received.
- ii. 2019 Water Summit is being put on by Freshwater. Administrator Jester reported she will be co-presenting on the Harrison Neighborhood project. She also noted she accepted an invitation to participate in a panel discussion at an upcoming Land Development event.

**B. Chair – No reports**

**C. Commissioners**

Commissioner Scanlan noted some upcoming events

**D. TAC Members**

- i. Four Season Mall Update – Chair Prom will report when details are concrete
- ii. Next Meeting March 26<sup>th</sup>

**E. Committees – No reports**

**F. Legal Counsel – No reports**

**G. Engineer**

- i. Flood forecast: Despite a lot of snowmelt and rain, there was only localized flooding and the system functioned as it was supposed to.

**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. Harrison Neighborhood Met Council Grant Final Report
- E. Metro Watershed Partners 2018 Report
- F. CCX News Story on Winnetka Pond Dredging Project
- G. Gustavus Adolphus Nobel Conference: Climate Change

**8. ADJOURNMENT**

The meeting adjourned at 10:37 a.m.

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Signature/Title

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Date

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Signature/Title

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Date