



# Bassett Creek Watershed Management Commission

Regular Meeting  
Thursday, January 20, 2022  
8:30 – 11:00 a.m.

Via Zoom – Click [HERE](#) to join the meeting.

Or join by phone +1-312-626-6799; Meeting number 811 3538 1542

## AGENDA

### 1. CALL TO ORDER and ROLL CALL

2. **PUBLIC FORUM ON NON-AGENDA ITEMS** – *Members of the public 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 (10 minutes)

- A. Approval of Minutes – December 16, 2021 Commission Meeting
- B. Acceptance of January 2022 Financial Report
- C. Approval of Payment of Invoices
  - i. Keystone Waters, LLC – December 2021 Administrative Services
  - ii. Keystone Waters, LLC – December 2021 Meeting Expenses
  - iii. Barr Engineering – December 2021 Engineering Services
  - iv. Kennedy & Graven – November 2021 Legal Services
  - v. Redpath – December Accounting Services
  - vi. We All Need Food and Water – December 2021 Administrative and Education Services
  - vii. Three Rivers Park District – 2021 Medicine Lake Inspection Program Contribution
  - viii. Met Council – 2021 Citizen Assisted Monitoring Program
- D. Approval of Proposal from MMKR to Perform 2021 Financial Audit
- E. Approval of Agreement with Redpath & Company for 2022 Financial Services
- F. Approval of Resolution of Appreciation for Jim de Lambert
- G. Approval of Resolution of Appreciation for James Prom
- H. Approval of Resolution of Appreciation for Mike Fruen
- I. Approval of Resolution of Appreciation for Dawn Pape
- J. Approval to Apply for Second Lawns to Legumes Grant for Implementation by Metro Blooms

### 5. BUSINESS

- A. Consider Approval of 50% Design Plans for Bryn Mawr Meadows Water Quality Improvement Project (BC-5) (40 min)
- B. Consider Approval of 50% Design Plans for SEA School-Wildwood Park Flood Reduction Project (BC-2,3,8,10) (20 min)

**BREAK** (at Chair's discretion)

- C. Consider Approval of Scope and Budget for 2025 Watershed Management Plan Development (30 min)
- D. Review Plymouth Street Sweeping Report (ML-23) (15 min)
- E. Consider Approval of Reimbursement Request for Plymouth Street Sweeping Cost Share (ML-23) (5 min)
- F. Receive Report on Staff Evaluations (10 min)

**6. COMMUNICATIONS (10 minutes)**

- A. Administrator’s Report
  - i. Date and Format for Equity in Watershed Management Workshop
  - ii. Reminder to Complete Campaign Finance Economic Interest Statement
  - iii. Consider Committees and Leadership Positions – February Meeting
  - iv. Report on Metro MAWD and MN Association of Watershed Administrator Meetings
  - v. Report on Presentation of East Metro Water Resource Education Program to WMWA
- B. Chair
- C. Commissioners
- D. TAC Members
- E. Committees
- F. Legal Counsel
- G. Engineer
  - i. Update on North Green Loop Development, Minneapolis
  - ii. Update on EAW Comments for Main Stem Lagoon Dredging Project

**7. INFORMATION ONLY (Information online only)**

- A. BCWMC Administrative Calendar
- B. CIP Project Updates <http://www.bassettcreekwmo.org/projects>
- C. Grant Tracking Summary and Spreadsheet
- D. WCA Notice, Plymouth
- E. MN Aquatic Invasive Species Research Center Latest Newsletter [maisrc.umn.edu/newsletter-dec2021](mailto:maisrc.umn.edu/newsletter-dec2021).

**8. ADJOURNMENT**

**Upcoming Meetings & Events**

- Metro MAWD Meeting: Tuesday January 18<sup>th</sup>, 7:00 p.m., online via ZOOM (watch for email)
- SEA School-Wildwood Park Flood Reduction Project Public Open House: Thursday February 3<sup>rd</sup>, 5:00 – 7:30 p.m., Brookview Golden Valley
- BCWMC Regular Monthly Meeting: Thursday February 17<sup>th</sup>, 8:30 a.m., location TBD
- Medley Park Stormwater Treatment Facility Project Public Open House: Thursday March 3<sup>rd</sup>, 5:00 – 7:30 p.m., Brookview Golden Valley



# Bassett Creek Watershed Management Commission

## AGENDA MEMO

Date: January 13, 2022

To: BCWMC Commissioners

From: Laura Jester, Administrator

RE: Background Information for 1/20/22 BCWMC Meeting

1. **CALL TO ORDER and ROLL CALL**
2. **PUBLIC FORUM ON NON-AGENDA ITEMS**
3. **APPROVAL OF AGENDA – ACTION ITEM with attachment**
4. **CONSENT AGENDA (10 minutes)**
  - A. Approval of Minutes – December 16, 2021 Commission Meeting- **ACTION ITEM with attachment**
  - B. Acceptance of January 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 2021 Administrative Services
    - ii. Keystone Waters, LLC – December 2021 Meeting Expenses
    - iii. Barr Engineering – December 2021 Engineering Services
    - iv. Kennedy & Graven – November 2021 Legal Services
    - v. Redpath – December Accounting Services
    - vi. We All Need Food and Water – December 2021 Administrative and Education Services
    - vii. Three Rivers Park District – 2021 Medicine Lake Inspection Program Contribution
    - viii. Met Council – 2021 Citizen Assisted Monitoring Program
  - D. Approval of Proposal from MMKR to Perform 2021 Financial Audit – **ACTION ITEM with attachment – Staff recommends approving the proposal from MMKR to perform the FY2021 financial audit. Golden Valley staff, Redpath staff and I will assist with providing auditors with necessary information. The audit is expected to cost \$11,625 which is \$500 more than last year’s audit but still affordable within the Commission’s annual budget.**
  - E. Approval of Agreement with Redpath & Company for 2022 Financial Services – **ACTION ITEM with attachment – Redpath & Company has been providing financial services to the Commission since last March. While there are still some ways to improve efficiency and coordination between Redpath and Golden Valley staff, Redpath is providing good support, accurate monthly reports, and quick, thoughtful customer service. I recommend approving an agreement for another year at the same monthly rate and a slight increase in hourly rates for work that is above and beyond expected tasks or time.**
  - F. Approval of Resolution of Appreciation for Jim de Lambert – **ACTION ITEM with attachment – Commissioner de Lambert is stepping down from the Commission at the end of this month after 12 years representing the City of St. Louis Park. Jim has provided significant leadership and thoughtful input over the years and will certainly be missed. A resolution of appreciation is in order.**

- G. Approval of Resolution of Appreciation for James Prom – **ACTION ITEM with attachment** – *Alternate Commissioner Prom ended his tenure with the Commission at the end of last year after serving as a representative from the City of Plymouth for five years. James provided leadership as vice chair for one year and chair for two years. His contributions will be missed. A resolution of appreciation is in order.*
- H. Approval of Resolution of Appreciation for Mike Fruen – **ACTION ITEM with attachment** – *Sadly, Commissioner Fruen passed away in late December after serving the Commission for six years as a representative from the City of Minnetonka. Mike served on the Education Committee and offered us a glimpse of the history of the Fruen Mill on Bassett Creek in Minneapolis. A resolution of appreciation is in order.*
- I. Approval of Resolution of Appreciation for Dawn Pape – **ACTION ITEM with attachment** – *At the meeting in November, Education Consultant Dawn Pape ended her contract with the Commission. Chair Cesnik requested a resolution of appreciation for Dawn’s work over the years. Staff recommends approval.*
- J. Approval to Apply for Second Lawns to Legumes Grant for Implementation by Metro Blooms – **ACTION ITEM with attachment and additional information online** – *The BCWMC received a \$40,000 Lawns to Legumes grant from BWSR in 2020 which was passed through to Metro Blooms to connect with Minneapolis community members and install pollinator habitat in the Near North neighborhoods. Their work has been very successful (including securing matching funds from other entities to expand their work). They request that the BCWMC apply for a second (Phase 2) Lawns to Legumes grant for \$20,000 to be passed to Metro Blooms to continue their work. Metro Blooms staff fulfills all grant-related reporting and the partnership has worked well. Staff recommends approval to apply for the grant and to work with the Commission Attorney to develop a subgrant agreement with Metro Blooms if the application is successful.*

## 5. BUSINESS

- A. Consider Approval of 50% Design Plans for Bryn Mawr Meadows Water Quality Improvement Project (BC-5) (40 min) – **ACTION ITEM with attachments (design plan set available online)** – *At the June 2021 meeting, the Commission approved a scope and budget for the design and engineering of this project, in close coordination with MPRB and City of Minneapolis. The project will be constructed in conjunction with Phase 1 of the park’s reconstruction project through an agreement with MPRB and Minneapolis. Construction is expected this summer. The Commission Engineer will present the attached 50% designs and options for addressing the higher than budgeted cost estimates. The Commission should consider approval of the plans, discuss options for addressing the budget, and consider directing development of 90% plans which are slated to be presented to the Commission in March to stay inline with the MPRB’s construction timeline.*
- B. Consider Approval of 50% Design Plans for SEA School-Wildwood Park Flood Reduction Project (BC-2,3,8,10) (20 min)– **ACTION ITEM with attachments (design plan set available online)** – *At the September 2021 meeting, the Commission ordered this project and entered an agreement with Golden Valley to design and construct the project. Golden Valley is contracting with Barr Engineering for this work. City and Barr staff will present the attached 50% designs and cost estimates which are in line with Concept 3 from the feasibility study which was approved for implementation. Staff recommends approval and directing the city to proceed to 90% plans.*

**BREAK** (at Chair’s discretion)

- C. Consider Approval of Scope and Budget for 2025 Watershed Management Plan Development (30 min)  
– **DISCUSSION/ACTION ITEM with attachment** – *At the November meeting, the Commission directed staff to develop a scope and budget for development of the 2025 Watershed Management Plan. The attached memo was developed collaboratively between me and Commission Engineers Chandler and Williams. The memo outlines four phases of plan development for the Commission’s consideration along with estimated budget figures and schedule. The Commission should review the recommended phases and budget, and consider establishing a Plan Steering Committee. The overall budget for plan development is approximately \$123,000 - \$143,000. Starting in 2019 and through its 2022 budget, the Commission will have set aside \$58,000 for this effort. Additional budget will be needed in 2023 – 2025 to complete the plan. The Commission could direct staff to begin implementing the scope or could suggest revisions to brought to the February meeting.*
  
- D. Review Plymouth Street Sweeping Report (ML-23) (15 min) – **INFORMATION ITEM with attachment** – *At the meeting in September 2020, the Commission ordered this CIP project and entered into an agreement with the City of Plymouth which included a requirement for an annual report on street sweeping operations and outcomes for five years. The first annual report is attached for the Commission’s review and information.*
  
- E. Consider Approval of Reimbursement Request for Plymouth Street Sweeping Cost Share (ML-23) (5 min) – **ACTION ITEM with attachment** – *The city is eligible to be reimbursed 25% of the cost of the street sweeper purchase after submittal of the first report (see above). I reviewed the report against agreement requirements and the reimbursement documentation for this project and recommend approval of this payment request. Payment will utilize remaining project funds and will close out this project.*
  
- F. Receive Report on Staff Evaluations (10 min) – **DISCUSSION ITEM no attachment** – *Commissioners, alternates commissioners and TAC members were asked to provide feedback on my and the Commission Engineers’ performance through an evaluation form available January 3 – 10. Administrative Services Committee Chair Harwell will review the results of the evaluation with the Commission and will suggest next steps, as needed.*

**6. COMMUNICATIONS (10 minutes) - INFORMATION ITEM with attachment**

- A. Administrator’s Report
  - i. Date and Format for Equity in Watershed Management Workshop
  - ii. Reminder to Complete Campaign Finance Economic Interest Statement
  - iii. Consider Committees and Leadership Positions – February Meeting
  - iv. Report on Metro MAWD and MN Association of Watershed Administrator Meetings
  - v. Report on Presentation of East Metro Water Resource Education Program to WMWA
- B. Chair
- C. Commissioners
- D. TAC Members
- E. Committees
- F. Legal Counsel
- G. Engineer
  - i. Update on North Green Loop Development, Minneapolis
  - ii. Update on EAW Comments for Main Stem Lagoon Dredging Project

**7. INFORMATION ONLY (Information online only)**

- A. BCWMC Administrative Calendar

- B. CIP Project Updates <http://www.bassettcreekwmo.org/projects>
- C. Grant Tracking Summary and Spreadsheet
- D. WCA Notice, Plymouth
- E. MN Aquatic Invasive Species Research Center Latest Newsletter [maisrc.umn.edu/newsletter-dec2021](mailto:maisrc.umn.edu/newsletter-dec2021).

## 8. ADJOURNMENT

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- BCWMC Regular Monthly Meeting: Thursday February 17<sup>th</sup>, 8:30 a.m., location TBD
- Medley Park Stormwater Treatment Facility Project Public Open House: Thursday March 3<sup>rd</sup>, 5:00 – 7:30 p.m., Brookview Golden Valley
-



## Bassett Creek Watershed Management Commission

### DRAFT Minutes of Regular Meeting Thursday, December 16, 2021 8:30 a.m.

Via video conference due to the COVID-19 global pandemic

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

On Thursday, December 16, 2021 at 8:33 a.m. via video conference, Chair Cesnik brought the Bassett Creek Watershed Management Commission (BCWMC) to order.

#### Commissioners, city staff, and others 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	Eric Eckman, Drew Chirpich
Medicine Lake	Clint Carlson	Gary Holter	<i>Absent</i>
Minneapolis	Michael Welch	Jodi Polzin	Liz Stout, Katie Kowalczyk
Minnetonka	<i>Absent</i>	<i>Vacant Position</i>	Leslie Yetka
New Hope	<i>Absent</i>	Patrick Crough	David Lemke, Nick Macklem
Plymouth	Catherine Cesnik	<i>Absent</i>	Ben Scharenbroich
Robbinsdale	<i>Absent</i>	<i>Vacant Position</i>	<i>Absent</i>
St. Louis Park	<i>Absent</i>	Angela Lawrence	Erick Francis, Mark Oestreich
<b>Administrator</b>	Laura Jester, Keystone Waters		
<b>Engineers</b>	Karen Chandler and Patrick Brockamp, Barr Engineering		
<b>Legal Counsel</b>	Dave Anderson, Kennedy & Graven		
<b>Presenters/ Guests/Public</b>	Joan Hauer, Crystal resident		

#### 2. PUBLIC FORUM ON NON-AGENDA ITEMS

No comments from the public were made.

**3. APPROVAL OF AGENDA**

**MOTION:** Alternate Commissioner McDonald Black moved to approve the agenda. Commissioner Carlson seconded the motion. Upon a roll call vote, the motion carried 5-0, with the cities of Minnetonka, New Hope, Robbinsdale and St. Louis Park absent from the vote.

**4. CONSENT AGENDA**

Commissioner Welch noted that documents for items 4D, 4E, and 4F were not linked with online meeting materials until about 15 minutes before the start of the meeting. He requested moving items 4A, 4D, and 4E to the business agenda and moving item 4F to a future agenda.

The consent agenda was amended as requested. The following items were approved as part of the consent agenda.

- Acceptance of December 2021 Financial Report
- Approval of Payment of Invoices
  - i. Keystone Waters, LLC – November 2021 Administrative Services
  - ii. Keystone Waters, LLC – November 2021 Meeting Expenses
  - iii. Barr Engineering – November 2021 Engineering Services
  - iv. Kennedy & Graven – October 2021 Legal Services
  - v. Stantec – WOMP Expenses (2)
  - vi. Redpath – November Accounting Services
  - vii. We All Need Food and Water – November 2021 Administrative and Education Services

The general and construction account balances reported in the December 2021 Financial Report are as follows:

Current Assets	Capital Improvement Projects	General Fund	TOTAL
Checking	1,764,067.33	-34,699.64	1,729,367.69
4MP Fund Investment	3,501,105.22	616.42	3,501,721.64
4M Fund Investment	1,483,511.82	88.00	1,483,599.82
<b>Total Checking/Savings December 2021</b>	<b>6,748,684.37</b>	<b>-33,995.22</b>	<b>6,714,689.15</b>

**MOTION:** Commissioner Welch moved to approved the consent agenda as amended. Alternate Commissioner McDonald Black seconded the motion. Upon a roll call vote, the motion carried 5-0, with the cities of Minnetonka, New Hope, Robbinsdale and St. Louis Park absent from the vote.

**5. BUSINESS**

Moved off consent: **4A. Approval of Minutes – November 17, 2021 Commission Meeting**

Commissioner Welch noted a correction needed in the vote tally for approving the November agenda (Item 3). The minutes will be revised to reflect a 6 – 0 vote with the cities of Minnetonka, New Hope, and Robbinsdale absent from the vote. There was also discussion about who would be taking/drafting minutes with Dawn Pape’s departure, and the level of detail needed in the minutes. The Administrative Services Committee will address this issue at an upcoming meeting with input from the Commission Attorney.

[New Hope Alternate Commissioner Crough joins the meeting.]

**MOTION:** Commissioner Welch moved to approve the November 17, 2021 minutes with the noted revision. Alternate Commissioner McDonald Black seconded the motion. Upon a roll call vote, the motion carried 6-0, with the cities of Minnetonka, Robbinsdale, and St. Louis Park absent from the vote.

Moved off consent: **4D. Approval of Golden Valley 2022 Pavement Management Program (PMP) Project**



Commissioner Welch noted that 4.65 acres of fully redeveloped impervious surface offers an opportunity to improve conditions and relayed his dismay that the Commission's water quality standards for linear projects are inappropriate and lack adequate protection for resources. He noted he would not approve this project for that reason. Commissioner Carlson asked if there was a timeline for the TAC to again review an analysis of the impact of previous standards vs. existing standards for linear projects. Administrator Jester noted there is currently no timeline but that work but that the issue of appropriate standards for linear projects is one of the issues that would be discussed during development of the 2025 Watershed Plan.

[St. Louis Park Alternate Commissioner Lawrence joins the meeting.]

Commissioner Carlson requested a summary memo from the city of Golden Valley about the project to help inform the Medicine Lake infrastructure project.

**MOTION:** Commissioner Carlson moved to approve the Golden Valley 2022 Pavement Management Program contingent on submittal of a summary memo from Golden Valley on the project. Alternate Commissioner McDonald Black seconded the motion. Upon a roll call vote, the motion carried 6 – 1 with the city of Minneapolis voting no and the cities of Minnetonka and Robbinsdale absent from the vote.

Moved from consent: **4E. Approval of Stantec Proposal for Watershed Outlet Monitoring Program (WOMP) Tasks in 2022 & Authorization for Chair to Execute Final Agreement with Attorney and Administrator Recommendation**

Commissioner Welch asked if there were more details available regarding the monitoring procedures and protocols. Administrator Jester noted that the terms will reference the WOMP agreement between the Commission and the Met Council which includes monitoring details and will transfer those responsibilities to Stantec.

**MOTION:** Commissioner Welch moved to approve the proposal from Stantec for a not to exceed amount of \$19,220 for WOMP station operation in 2022 pending approval of the final terms and conditions by the Commission Attorney and Administrator. Commissioner Carlson seconded the motion. Upon a roll call vote, the motion carried 7 – 0 with the cities of Minnetonka and Robbinsdale absent from the vote.

**A. Consider Approval of 50% Design Plans for Main Stem Lagoon Dredging Project (BC-7)**

Commission Engineer Chandler introduced Patrick Brockamp with Barr Engineering. Engineer Brockamp presented information about the Main Stem Lagoon Dredging Project including background information, budget, and design components including access routes, dredging details, and minor bank restoration. He noted the three lagoons (ponds) will be dredged to a depth of 6 feet with 4:1 slide slopes. He reviewed expected impacts to park users, protection and restoration planned for roads and trails, material disposal, control of the stream flow through the project area, and the construction schedule. Engineer Brockamp also walked through the permitting needs including a Phase I archeological survey requested by SHPO. He noted more information is needed from the city of Golden Valley on buffer requirements. Finally, he noted the public engagement activities that have been discussed by the project stakeholders (staff with MPRB, cities of Golden Valley and Minneapolis, Minneapolis commissioners, and Commission staff). Three different groups of people should be informed about the project: park users, nearby residents, and Loppet Foundation. Although no public open house is planned, outreach will happen through MPRB and BCWMC websites, articles in neighborhood newsletters, signage in the park, and engagement with Loppet Foundation.

There was discussion about the bidding climate and optimal time to let the bids and how best to engage with the nearby communities. It was clarified that the contaminated sediments dredged from the ponds would go to a landfill of the contractor's choosing.

Commissioner Welch noted that the Commission Attorney should be involved with securing appropriate permissions from the MPRB.

**MOTION:** Commissioner Welch made the following motion: A) Approve of 50% design plans; B) Authorize the BCWMC engineer to continue design and bring 90% design plans to a future BCWMC meeting; C) Authorize BCWMC

attorney to work with MPRB to secure necessary legal and land-use rights and permissions, and allocation of rights and responsibilities for construction; and D) Direct the Administrator and Engineer to assess and secure necessary permitting, including compliance with city buffer requirements and provide commission with budget implications, if any, at their earliest convenience. Commissioner Carlson seconded the motion.

Discussion: There was discussion about how to keep costs down and how to engage with diverse communities in the area. Commissioner Carlson noted that the Commission should make sure the bidding process includes cost reduction options and would like more information on cost reduction opportunities through the bidding process. It was noted that further discussion on material disposal options could be held during presentation of the 90% plans. Finally, it was noted that property owned by a railroad company bisects the project area and that negotiations with the railroad may be needed.

The following friendly amendment was made to the motion: Direct Administrator to work with commissioners and stakeholders to develop a robust plan for outreach with particular focus on diverse communities.

Upon a roll call vote, the motion carried 7 – 0 with the cities of Minnetonka and Robbinsdale absent from the vote.

A 5-minute break was called by the Chair. The meeting resumed at 10:00 a.m.

[Golden Valley Commissioner Harwell joins the meeting.]

#### **B. Review Final Report for Westwood Lake Water Quality Improvement Project (WST-2)**

Administrator Jester introduced St. Louis Park TAC member, Erick Francis, and Westwood Hills Nature Center Director, Mark Oestreich, who walked through the final report of the Westwood Lake Water Quality Improvement Project. They noted that the project was part of the larger relocation and construction of the new nature center building, landscaping, and outdoor spaces. They reported that the project components included a system that collects roof rainwater and routes it through interactive pumps and constructed stream to provide educational opportunities, evapotranspiration and finally infiltration of water – protecting the lake from runoff. They presented information and photos of the bog that was transferred in pieces from northern Minnesota and the educational signage related to watersheds, the bog, and stormwater runoff. Overall, the project is functioning properly and is a great addition to the center.

Mr. Oestreich and TAC member Francis also reviewed the project budget and the lessons learned, noting that ongoing vegetative maintenance is more challenging than expected. They reported on nature center visitorship including 38,000/year in the old building (pre-pandemic) and 40,000 in 2021 (inside visitors only). Mr. Oestreich noted that program numbers are still lower than expected due to the ongoing pandemic. He also noted that the new water features offer educational programming opportunities that will also satisfy new education standards.

Commissioner Harwell asked about chloride use onsite. Mr. Oestreich reported that very little salt is used on site; that the parking lot includes pervious pavers, that city crews do not maintain the parking lot and driveway and that no salt is used on sidewalks. Mr. Francis noted that the Commission's "Smart Salt" fliers could be distributed at the site and noted the watershed sign includes information on chloride pollution. Commissioner Harwell also requested more information on the pollutant removal expected from the project.

#### **C. Consider Approval of Final Reimbursement Request for Westwood Lake Water Quality Improvement Project (WST-2)**

Administrator Jester reported that she had reviewed the reimbursement documentation and recommends that the Commission approve the final payment to the city of \$180,859.04 and close out the project.

**MOTION:** Commissioner Welch moved to approve the reimbursement request of \$180,859.04 to the City of St. Louis Park for the Westwood Lake Water Quality Improvement Project. Commissioner Harwell seconded the motion. Upon a roll call vote, the motion passed 7 – 0 with the cities of Minnetonka and Robbinsdale absent from the vote.

#### **D. Consider Recommendations from Technical Advisory Committee**

TAC Chair, Mark Ray, reported on the November 22<sup>nd</sup> TAC meeting that included discussions on XPSWMM model update timing, Flood Control Project items and costs, and other issues. He noted several conditions and parameters that will be reviewed annually in order to determine XP-SWMM model update timing. He also reported on TAC recommendations regarding the Flood Control Project (FCP) including:

- The TAC recommends no modifications to the Commission's overall tunnel responsibilities and existing policy.
- The TAC recommends the Commission revisit the question of FCP inspection expenses in early 2022 during the annual budgeting process.
- The TAC recommends considering new technologies as part of the inspections prior to performance of future inspections.
- The TAC recommends a revision to the inspection schedule (noted in the TAC memo table)

Mr. Ray also noted that new and emerging technologies for tunnel inspections (such as use of drones or infrared technologies) be considered for future inspections and that annual contributions to the FCP inspection fund be reviewed during annual budgeting.

[St. Louis Park Alternate Commissioner Lawrence leaves the meeting.]

Mr. Ray also noted that most cities now indicate that while they may have some tasks appropriate for an intern from Dougherty Family College, that cities do not have space to house an intern. The city of Golden Valley may be able to find space and discussions are ongoing.

Alternate Commissioner McDonald Black reminded commissioners of the previous action to pursue providing an internship through the Commission and that she will continue working on this idea, particularly through the city of Golden Valley. It was noted that Dawn Pape's departure leaves a gap in the Commission's ability to mentor an intern and that mentoring an intern takes time.

It was also noted that the TAC agreed it is appropriate for the Commission to develop and submit a grant application for the MPCA's new Climate Resiliency grant program.

MOTION: Commissioner Carlson moved to approve the TAC recommendations regarding the Flood Control Project. Commissioner Anderson seconded the motion. Upon a roll call vote, the motion passed 6 – 0 with the cities of Minnetonka, Robbinsdale, and St. Louis Park absent from the vote.

#### **E. Review Information on New Impaired Waters Listing for Bassett Creek**

Commission Engineer Chandler reported that every two years, the MN Pollution Control Agency (MPCA) develops a list of impaired waters. She reported the MPCA recently added Bassett Creek to the draft 2022 impaired waters list for aquatic life due to a failure to meet the standard for macroinvertebrates. Further, she noted this listing is consistent with data collected by the BCWMC since 2006 and that staff does not recommend providing comment to the MPCA regarding the listing but will continue to request information regarding where the macroinvertebrate standard is being met across the state. Commissioner Welch asked about the TMDL completion date of 2024 listed in the impaired waters list for invertebrates and fish. Administrator Jester will look into that and report back.

#### **F. Receive Report on MAWD Annual Conference and Meeting**

Chair Cesnik reported that she attended many informative sessions during the MAWD conference and that the conference ran smoothly and she recommends that commissioners consider attending in the future. She also noted that the MAWD business meeting was very long, included a lot of technical information and jargon and was difficult to follow at times. Commissioners Welch and Harwell agreed noting there were lengthy discussions about how to

reword certain resolutions and how to tackle very difficult situations. Commissioner Welch noted that the meeting is much better when in person.

**G. Receive Report or Recommendations from Administrative Services Committee**

Administrative Services Committee Chair Harwell reviewed the committee's discussions and recommendations from their meeting on December 13<sup>th</sup>. She reported that staff evaluation surveys for the Commission Engineer and Administrator will be sent to commissioners and TAC members on January 3<sup>rd</sup> and will be due on January 10<sup>th</sup>. She noted that Administrator compensation for 2023 will be discussed during 2023 budgeting time.

Committee Chair Harwell reported that the committee recommends approving a request by the Administrator to go over her contracted annual budget by up to \$6,500 to accommodate for the additional time she's spent on Commission work over the past 10 months.

It was also noted that the Administrator's contract will be reconsidered to increase hours/budget for the additional work that will be expected as part of the 2025 Watershed Plan development.

**MOTION:** Commissioner Welch moved to approve an additional \$6,500 in this fiscal year for the Administrator. Commissioner Carlson seconded the motion. Upon a roll call vote the motion carried 5 – 0 with the cities of Minnetonka, New Hope, Robbinsdale, and St. Louis Park absent from the vote.

**6. COMMUNICATIONS**

- A. Administrator's Report – WOMP equipment was stolen; working with Met Council to replace. \$300,000 in Clean Water Funds awarded to BCWMC for the Medley Park Stormwater Treatment Facility Project.
- B. Chair – No report
- C. Commissioners – Commissioner Carlson requests additional information (plan set) on the Golden Valley Pavement Management Program and he looks forward to reviewing Plymouth's street sweeping report. Commissioner Welch noted that Mississippi WMO long time administrator, Doug Snyder, is retiring.
- D. TAC Members – Mark Ray indicated his preference for basic meeting minutes for the Commission. He also noted that new MS4 permit requirements may impact linear project standards.
- E. Committees – No report
- F. Legal Counsel – No report
- G. Engineer
  - i. Update on North Green Loop Development, Minneapolis – Developer provided a preferred tunnel access to which the Commission Engineer is commenting and crack monitoring is taking place within the tunnel during construction.
  - ii. Update on Bryn Mawr Meadows Water Quality Improvement Project – Project concept plan was approved by the MPRB which means project design is now underway in earnest with 50% plans coming to the January Commission meeting. Engineer Chandler also noted her recent 35<sup>th</sup> anniversary with Barr Engineering!

**2. INFORMATION ONLY (Information online only)**

- A. BCWMC Administrative Calendar
- B. CIP Project Updates <http://www.bassettcreekwmo.org/projects>
- C. Grant Tracking Summary and Spreadsheet
- D. WCA Notices, Plymouth
- E. MAWD Petition for Rulemaking to BWSR
- F. Children's Water Festival Certificate and Thank You

**8. ADJOURNMENT** - The meeting was adjourned at 11:34 a.m.

BCWMC January Financial Report - General Ledger				Capital Improvement Projects	General Fund	TOTAL
<b>ASSETS</b>						
<b>Current Assets</b>						
<b>Checking/Savings</b>						
		101 · Wells Fargo Checking	588,791.06	222,371.74	811,162.80	
		102 · 4MP Fund Investment	3,501,105.22	792.12	3,501,897.34	
		103 · 4M Fund Investment	2,483,511.82	117.46	2,483,629.28	
		<b>Total Checking/Savings</b>	6,573,408.10	223,281.32	6,796,689.42	
<b>Accounts Receivable</b>						
		112 · Due from Other Governments	-402,871.18	6,777.00	-396,094.18	
		113 · Delinquent Taxes Receivable	20,717.00	0.00	20,717.00	
		<b>Total Accounts Receivable</b>	-382,154.18	6,777.00	-375,377.18	
<b>Other Current Assets</b>						
		114 · Prepays	0.00	0.00	0.00	
		<b>Total Other Current Assets</b>	0.00	0.00	0.00	
		<b>Total Current Assets</b>	6,191,253.92	230,058.32	6,421,312.24	
<b>TOTAL ASSETS</b>				<b>6,191,253.92</b>	<b>230,058.32</b>	<b>6,421,312.24</b>
<b>LIABILITIES &amp; EQUITY</b>						
<b>Liabilities</b>						
<b>Current Liabilities</b>						
<b>Accounts Payable</b>						
		211 · Accounts Payable	35,650.00	70,188.30	105,838.30	
		<b>Total Accounts Payable</b>	35,650.00	70,188.30	105,838.30	
<b>Other Current Liabilities</b>						
		212 · Unearned Revenue	200,000.00	245,001.00	445,001.00	
		251 · Unavailable Rev - property tax	20,717.00	0.00	20,717.00	
		<b>Total Other Current Liabilities</b>	220,717.00	245,001.00	465,718.00	
		<b>Total Current Liabilities</b>	256,367.00	315,189.30	571,556.30	
		<b>Total Liabilities</b>	256,367.00	315,189.30	571,556.30	
<b>Equity</b>						
		311 · Nonspendable prepaids	0.00	3,223.00	3,223.00	
		312 · Restricted for improvements	5,260,202.50	0.00	5,260,202.50	
		314 · Res for following year budget	0.00	5,000.00	5,000.00	
		315 · Unassigned Funds	0.00	493,025.05	493,025.05	
		32000 · Retained Earnings	0.00	-95,159.98	-95,159.98	
		<b>Net Income</b>	99,168.44	84,296.93	183,465.37	
		<b>Total Equity</b>	5,359,370.94	490,385.00	5,849,755.94	
<b>TOTAL LIABILITIES &amp; EQUITY</b>				<b>5,615,737.94</b>	<b>805,574.30</b>	<b>6,421,312.24</b>
<b>UNBALANCED CLASSES</b>				575,515.98	-575,515.98	0.00

BCWMC January Financial Report - Operating Budget					
		Annual Budget	Dec 17, '21 - Jan 20, 22	Feb 1, '21 - Jan 20, 22	Budget Balance
<b>Income</b>					
411 · Assessments to Cities		554,900.00	0.00	554,900.00	0.00
412 · Project Review Fees		62,000.00	1,500.00	54,000.00	8,000.00
413 · WOMP Reimbursement		5,000.00	1,000.00	5,500.00	-500.00
414 · State of MN Grants		0.00	52.38	18,124.61	-18,124.61
415 · Investment earnings		0.00	1,902.46	2,705.58	-2,705.58
416 · Use of Fund Balance		5,000.00	0.00	0.25	4,999.75
417 · Transfers from LT & CIP		42,000.00	0.00	0.00	42,000.00
<b>Total Income</b>		<b>668,900.00</b>	<b>4,454.84</b>	<b>635,230.44</b>	<b>33,669.56</b>
<b>Expense</b>					
<b>1000 · General Expenses</b>					
1010 · Technical Services		134,000.00	10,723.00	96,190.00	37,810.00
1020 · Development/Project Reviews		68,000.00	9,567.50	78,417.65	-10,417.65
1030 · Non-fee and Preliminary Reviews		24,000.00	7,078.74	34,490.98	-10,490.98
1040 · Commission and TAC Meetings		12,000.00	592.00	10,103.70	1,896.30
1050 · Surveys and Studies		9,000.00	1,824.50	5,650.41	3,349.59
1060 · Water Quality / Monitoring		129,000.00	17,290.74	106,040.67	22,959.33
1070 · Water Quantity		7,000.00	553.00	7,205.56	-205.56
1080 · Annual Flood Control Inspection		12,000.00	1,163.50	14,998.88	-2,998.88
1090 · Municipal Plan Review		2,000.00	0.00	0.00	2,000.00
1100 · Watershed Monitoring Program		23,000.00	135.00	17,521.81	5,478.19
1110 · Annual XP-SWMM Model Updates		0.00	0.00	375.50	-375.50
1120 · TMDL Implementation Reporting		7,000.00	577.50	752.50	6,247.50
1130 · APM/AIS Work		14,000.00	5,000.00	13,533.35	466.65
1140 · Erosion Control Inspections		0.00	0.00	0.00	0.00
1000 · General Expenses - Other			0.00	0.00	0.00
<b>Total 1000 · General Expenses</b>		<b>441,000.00</b>	<b>54,505.48</b>	<b>385,281.01</b>	<b>55,718.99</b>
<b>2000 · Plan Development</b>					
2010 · Next Gen Plan Development		18,000.00	1,855.50	8,152.00	9,848.00
2000 · Plan Development - Other			0.00	0.00	0.00
<b>Total 2000 · Plan Development</b>		<b>18,000.00</b>	<b>1,855.50</b>	<b>8,152.00</b>	<b>9,848.00</b>
<b>3000 · Administration</b>					
3010 · Administrator		67,400.00	5,670.00	67,481.00	-81.00
3020 · MAWD Dues		3,750.00	0.00	3,750.00	0.00
3030 · Legal		15,000.00	673.20	12,689.50	2,310.50
3040 · Financial Management		4,000.00	1,000.00	9,600.00	-5,600.00
3050 · Audit, Insurance & Bond		18,000.00	0.00	14,849.00	3,151.00
3060 · Meeting Catering		1,300.00	0.00	0.00	1,300.00
3070 · Administrative Services		8,000.00	187.88	5,960.12	2,039.88
3000 · Administration - Other			0.00	0.00	0.00
<b>Total 3000 · Administration</b>		<b>117,450.00</b>	<b>7,531.08</b>	<b>114,329.62</b>	<b>3,120.38</b>
<b>4000 · Implementation</b>					
4010 · Publications / Annual Report		1,300.00	0.00	0.00	1,300.00
4020 · Website		1,800.00	0.00	406.60	1,393.40
4030 · Watershed Education Partnership		17,350.00	6,080.00	13,080.00	4,270.00
4040 · Education and Public Outreach		26,000.00	216.24	23,073.27	2,926.73
4050 · Public Communications		1,000.00	0.00	1,028.24	-28.24
4000 · Implementation - Other			0.00	0.00	0.00
<b>Total 4000 · Implementation</b>		<b>47,450.00</b>	<b>6,296.24</b>	<b>37,588.11</b>	<b>9,861.89</b>
<b>5000 · Maintenance</b>					
5010 · Channel Maintenance Fund		20,000.00	0.00	0.00	1,881.70
5020 · Long Term-FEMA Floodplain Model		25,000.00	0.00	0.00	2,352.17
5000 · Maintenance - Other			0.00	0.00	0.00
<b>Total 5000 · Maintenance</b>		<b>45,000.00</b>	<b>0.00</b>	<b>0.00</b>	<b>4,233.87</b>
<b>Total Expense</b>		<b>668,900.00</b>	<b>70,188.30</b>	<b>545,350.74</b>	<b>82,783.13</b>
		<b>0.00</b>	<b>-65,733.46</b>	<b>89,879.70</b>	<b>-49,113.57</b>

BCWMC January Financial Report - CIP						
		Annual Budget	Dec 17, '21 - Jan 20, 22	Feb 1, '21 - Jan 20, 22	Inception to Date Budget	Remaining Budget
<b>Income</b>						
	BC2,3,8 · DeCola Ponds B&C Improve		0.00	34,286.00		
	BC23810 · Decola Ponds/Wildwood Park	0.00	0.00	0.00		
	BC5 · Bryn Mawr Meadows	0.00	0.00	0.00		
	BC7 · Main Stem Dredging Project		0.00	125,000.00		
	BCP2 · Bassett Creek Park & Winnetka	0.00	0.00	0.00		
	CL3 · Crane Lake Improvement Project	0.00	0.00	0.00		
	ML21 · Jevne Park Stormwater Mgmt	0.00	0.00	0.00		
	NL2 · Four Seasons Mall Area	0.00	0.00	0.00		
	Qual · Channel Maintenance Fund		0.00	0.00		
	SL1,3 · Schaper Pond Enhancement	0.00	0.00	0.00		
	SL8 · Sweeny Lake Water Quality	0.00	0.00	236,850.01		
	TW2 · Twin Lake Alum Treatment	0.00	0.00	0.00		
	WST2 · Westwood Lake Water Quality	0.00	0.00	0.00		
<b>Total Income</b>		0.00	0.00	402,037.84		
<b>Expense</b>						
	2017CRM · CIP-Main Stem Cedar Lk Rd-Dupor	1,064,472.00	0.00	511.50	132,029.25	932,442.75
	BC-238 · CIP-DeCola Ponds B&C	1,600,000.00	0.00	0.00	1,507,985.31	92,014.69
	BC-2381 · CIP-DeCola Ponds/Wildwood Pk	0.00	0.00	20,036.50	53,395.89	-53,395.89
	BC-5 · CIP-Bryn Mawr Meadows	912,000.00	30,249.50	47,895.88	97,179.27	814,820.73
	BC-7 · CIP-Main Stem Lagoon Dredging	2,759,000.00	5,400.50	26,506.50	128,913.53	2,630,086.47
	BCP-2 · CIP- Basset Cr Pk & Winnetka	1,123,351.00	0.00	0.00	1,066,648.32	56,702.68
	ML-12 · CIP-Medley Park Stormwater	0.00	0.00	30,191.00	82,843.61	-82,843.61
	ML-20 · CIP-Mount Olive Stream Restore	178,100.00	0.00	3,601.50	39,595.42	138,504.58
	ML-21 · CIP-Jevne Park Stormwater Mgmt	500,000.00	0.00	0.00	56,390.75	443,609.25
	ML-23 · CIP-Purch High Eff St Sweeper	81,600.00	0.00	0.00	0.00	81,600.00
	NL-2 · CIP-Four Seasons Mall	990,000.00	0.00	0.00	185,236.56	804,763.44
	PL-7 · CIP-Parkers Lake Stream Restore	485,000.00	0.00	3,666.00	61,213.12	423,786.88
	SL-1,3 · CIP-Schaper Pond	612,000.00	0.00	11,481.00	440,083.95	171,916.05
	SL-8 · CIP-Sweeney Lake WQ Improvement	568,080.00	0.00	10,392.48	339,128.07	228,951.93
	TW-2 · CIP-Twin Lake Alum Treatment	163,000.00	0.00	0.00	91,037.82	71,962.18
	WST-2 · CIP-Westwood Lake Water Quality	404,500.00	180,859.04	180,859.04	404,500.00	0.00
<b>Total Expense</b>		12,680,226.00	216,509.04	335,141.40	5,073,780.87	
		<b>-12,680,226.00</b>	<b>-216,509.04</b>	<b>66,896.44</b>		

BCWMC January Financial Report - Long Term Accounts						
	Total Budget	Dec 17, '21 - Jan 20, 22	Year-to-Date	Inception to Date	Remaining Budget	
<b>Income</b>						
Fld1 · Flood Control Long Term Maint		0.00	14,064.50	169,420.90		
Fld2 · Flood Control Long Term Exp	699,980.00	0.00	5,529.50	484,266.41		
<b>Total</b>	699,980.00	0.00	8,535.00	-314,845.51	385,134.49	
Flood1 · Emergency FCP Income		0.00		0.00		
Flood2 · Emergency FCP Expense	500,000.00	0.00		0.00		
<b>Total</b>	500,000.00	0.00	0.00	0.00	500,000.00	
Gen · Next gen Plan Development Income		0.00		0.00		
Gen1 · Next gen Plan Development Exp	30,000.00	0.00		0.00		
<b>Total</b>	30,000.00	0.00	0.00	0.00	30,000.00	
Qual · Channel Maintenance Fund		0.00				
Qual1 · Channel Maintenance Expense	440,950.00	0.00		267,073.30		
<b>Total</b>	440,950.00	0.00	0.00	-267,073.30	173,876.70	
TMDL1 · TMDL Studies Income		0.00				
TMDL2 · TMDL Studies Expense	135,000.00	0.00		107,850.15		
<b>Total</b>	135,000.00	0.00	0.00	-107,850.15	27,149.85	





Item 4D.  
BCWMC 1-20-22  
Full document online

PRINCIPALS

Thomas A. Karnowski, CPA  
Paul A. Radosevich, CPA  
William J. Lauer, CPA  
James H. Eichten, CPA  
Aaron J. Nielsen, CPA  
Victoria L. Holinka, CPA/CMA  
Jaclyn M. Huegel, CPA  
Kalen T. Karnowski, CPA

January 6, 2022

To the Board of Commissioners and Management of the  
Bassett Creek Watershed Management Commission  
C/O 16145 Hillcrest Lane  
Eden Prairie, MN 55346

Dear Board of Commissioners and Management:

We are pleased to confirm our understanding of the services we are to provide for the Bassett Creek Watershed Management Commission (the Commission) for the year ending January 31, 2022.

**Audit Scope and Objectives**

We will audit the financial statements of the governmental activities, each major fund, and the disclosures, which collectively comprise the basic financial statements of the Commission as of and for the year ended January 31, 2022. Accounting standards generally accepted in the United States of America (GAAP) provide for certain required supplementary information (RSI), such as management's discussion and analysis (MD&A), to supplement the Commission's basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board (GASB) who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. As part of our engagement, we will apply certain limited procedures to the Commission's RSI in accordance with auditing standards generally accepted in the United States of America (GAAS). These limited procedures will consist of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We will not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

In connection with our audit of the basic financial statements, we will read the introductory section accompanying the financial statements and consider whether a material inconsistency exists between the other information and the basic financial statements, or the other information otherwise appears to be materially misstated. If, based on the work performed, we conclude that an uncorrected material misstatement of the other information exists, we are required to describe it in our report.

We will perform the required State Legal Compliance Audit conducted in accordance with auditing standards generally accepted in the United States of America and the provisions of the *Legal Compliance Audit Guide*, promulgated by the State Auditor pursuant to Minnesota Statutes § 6.65, and will include such tests of the accounting records and other procedures we consider necessary to enable us to conclude that, for the items tested, the Commission has complied with the material terms and conditions of applicable legal provisions.

Malloy, Montague, Karnowski, Radosevich & Co., P.A.

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We will also prepare a management letter for the Board of Commissioners and administration. This letter will include certain required communications to governance, and may include such things as our concerns regarding accounting procedures or policies brought to our attention during our audit, along with recommendations for improvements.

Our services will not include an audit in accordance with the Single Audit Act Amendments of 1996 and the Title 2 U.S. Code of Federal Regulations (CFR) Part 200 *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance), which would only be required if the Commission expended \$750,000 or more in federal assistance funds during the year. If the Commission is required to have a Single Audit of federal assistance funds, this engagement letter would need to be modified.

The objectives of our audit are to obtain reasonable assurance as to whether the financial statements as a whole are free from material misstatement, whether due to fraud or error; issue an auditor's report that includes our opinion about whether your financial statements are fairly presented, in all material respects, in conformity with GAAP; and report on the fairness of the supplementary information referred to in the second paragraph when considered in relation to the financial statements as a whole. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS and *Government Auditing Standards* will always detect a material misstatement when it exists. Misstatements, including omissions, can arise from fraud or error and are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment of a reasonable user made based on the financial statements.

The objectives also include reporting on internal control over financial reporting and compliance with provisions of laws, regulations, contracts, and award agreements, noncompliance with which could have a material effect on the financial statements in accordance with *Government Auditing Standards*.

### **Auditor's Responsibilities for the Audit of the Financial Statements**

We will conduct our audit in accordance with GAAS and the standards for financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States, and will include tests of your accounting records of the Commission other procedures we consider necessary to enable us to express such opinions. As part of an audit in accordance with GAAS and *Government Auditing Standards*, we exercise professional judgment and maintain professional skepticism throughout the audit.

We will evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management. We will also evaluate the overall presentation of the financial statements, including the disclosures, and determine whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation. We will plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement, whether from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the government or to acts by management or employees acting on behalf of the government. Because the determination of waste and abuse is subjective, *Government Auditing Standards* do not expect auditors to perform specific procedures to detect waste or abuse in financial audits nor do they expect auditors to provide reasonable assurance of detecting waste or abuse.

Because of the inherent limitations of an audit, combined with the inherent limitations of internal control, and because we will not perform a detailed examination of all transactions, there is an unavoidable risk that some material misstatements may not be detected by us, even though the audit is properly planned and performed in accordance with GAAS and *Government Auditing Standards*. In addition, an audit is not designed to detect immaterial misstatements or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements. However, we will inform the appropriate level of management of any material errors, fraudulent financial reporting, or misappropriation of assets that comes to our attention. We will also inform the appropriate level of management of any violations of laws or governmental regulations that come to our attention, unless clearly inconsequential. Our responsibility as auditors is limited to the period covered by our audit and does not extend to any later periods for which we are not engaged as auditors.

We will also conclude, based on the audit evidence obtained, whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the government's ability to continue as a going concern for a reasonable period of time.

Our procedures will include tests of documentary evidence supporting the transactions recorded in the accounts; and may include tests of the physical existence of inventories, and direct confirmation of receivables and certain assets and liabilities by correspondence with selected customers, creditors, and financial institutions. We will also request written representations from your attorneys as part of the engagement.

#### **Audit Procedures – Internal Control**

We will obtain an understanding of the government and its environment, including internal control relevant to the audit, sufficient to identify and assess the risks of material misstatement of the financial statements, whether due to error or fraud, and to design and perform audit procedures responsive to those risks and obtain evidence that is sufficient and appropriate to provide a basis for our opinions. Tests of controls may be performed to test the effectiveness of certain controls that we consider relevant to preventing and detecting errors and fraud that are material to the financial statements and to preventing and detecting misstatements resulting from illegal acts and other noncompliance matters that have a direct and material effect on the financial statements. Our tests, if performed, will be less in scope than would be necessary to render an opinion on internal control and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to *Government Auditing Standards*. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentation, or the override of internal control. An audit is not designed to provide assurance on internal control or to identify significant deficiencies or material weaknesses. Accordingly, we will express no such opinion. However, during the audit, we will communicate to management and those charged with governance internal control related matters that are required to be communicated under AICPA professional standards and *Government Auditing Standards*.

#### **Audit Procedures – Compliance**

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of Commission's compliance with the provisions of applicable laws, regulations, contracts, agreements, and grants. However, the objective of our audit will not be to provide an opinion on overall compliance and we will not express such an opinion in our report on compliance issued pursuant to *Government Auditing Standards*.

## **Other Services**

We will also assist in preparing the financial statements and related notes of the Commission in conformity with accounting principles generally accepted in the United States of America based on information provided by you. These nonaudit services do not constitute an audit under *Government Auditing Standards* and such services will not be conducted in accordance with *Government Auditing Standards*. We will perform the services in accordance with applicable professional standards. The other services are limited to the financial statement services previously defined. We, in our sole professional judgment, reserve the right to refuse to perform any procedure or take any action that could be construed as assuming management responsibilities.

## **Responsibilities of Management for the Financial Statements**

Our audit will be conducted on the basis that you acknowledge and understand your responsibility for designing, implementing, establishing, and maintaining effective internal controls relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error, and for evaluating and monitoring ongoing activities to help ensure that appropriate goals and objectives are met; following laws and regulations; and ensuring that management and financial information is reliable and properly reported. Management is also responsible for implementing systems designed to achieve compliance with applicable laws, regulations, contracts, and grant agreements. You are also responsible for the selection and application of accounting principles, for the preparation and fair presentation of the financial statements and all accompanying information in conformity with accounting principles generally accepted in the United States of America, and for compliance with applicable laws and regulations and the provisions of contracts and grant agreements.

Management is responsible for making drafts of financial statements, all financial records, and related information available to us and for the accuracy and completeness of that information (including information from outside of the general and subsidiary ledgers). You are also responsible for providing us with (1) access to all information of which you are aware that is relevant to the preparation and fair presentation of the financial statements, such as records, documentation, identification of all related parties and all related-party relationships and transactions, and other matters; (2) additional information that we may request for the purpose of the audit; and (3) unrestricted access to persons within the government from whom we determine it necessary to obtain audit evidence. At the conclusion of our audit, we will require certain written representations from you about your responsibilities for the financial statements; compliance with laws, regulations, contracts, and grant agreements; and other responsibilities required by GAAS and *Government Auditing Standards*.

Your responsibilities include adjusting the financial statements to correct material misstatements and for confirming to us in the written representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements of each opinion unit taken as a whole.

You are responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us about all known or suspected fraud affecting the government involving (1) management, (2) employees who have significant roles in internal control, and (3) others where the fraud could have a material effect on the financial statements. Your responsibilities include informing us of your knowledge of any allegations of fraud or suspected fraud affecting the government received in communications from employees, former employees, grantors, regulators, or others. In addition, you are responsible for identifying and ensuring that the government complies with applicable laws, regulations, contracts, agreements, and grants and for taking timely and appropriate steps to remedy fraud and noncompliance with provisions of laws, regulations, or contracts or grant agreements that we report.

Management is responsible for establishing and maintaining a process for tracking the status of audit findings and recommendations. Management is also responsible for identifying and providing report copies of previous financial audits, attestation engagements, performance audits or other studies related to the objectives discussed in the Audit Scope and Objectives section of this letter. This responsibility includes relaying to us corrective actions taken to address significant findings and recommendations resulting from those audits, attestation engagements, performance audits, or other studies. You are also responsible for providing management's views on our current findings, conclusions, and recommendations, as well as your planned corrective actions, for the report, and for the timing and format for providing that information.

You agree to assume all management responsibilities relating to the financial statements and related notes and any other nonaudit services we provide. You will be required to acknowledge in the management representation letter our assistance with preparation of the financial statements and related notes and that you have reviewed and approved the financial statements and related notes prior to their issuance and have accepted responsibility for them. Further, you agree to oversee the nonaudit services by designating an individual, preferably from senior management, with suitable skill, knowledge, or experience; evaluate the adequacy and results of those services; and accept responsibility for them.

### **Engagement Administration, Fees, and Other**

The assistance to be supplied by your personnel, including the preparation of schedules and analysis of accounts, typing all cash or other confirmations we request, and locating any invoices selected by us for testing, will be discussed and coordinated with you.

We will provide copies of our reports to the Commission; however, management is responsible for distribution of the reports and the financial statements. Unless restricted by law or regulation, or containing privileged and confidential information, copies of our reports are to be made available for public inspect.

The audit documentation for this engagement is the property of Malloy, Montague, Karnowski, Radosevich & Co., P.A. (MMKR) and constitutes confidential information. However, subject to applicable laws and regulations, audit documentation and appropriate individuals will be made available upon request and in a timely manner to a regulatory agency or its designee, a federal agency providing direct or indirect funding, or the U.S. Government Accountability Office for purposes of a quality review of the audit, to resolve audit findings, or to carryout oversight responsibilities. We will notify you of any such request. If requested, access to such audit documentation will be provided under the supervision of MMKR personnel. Furthermore, upon request, we may provide copies of selected audit documentation to the aforementioned parties. These parties may intend, or decide, to distribute the copies or information contained therein to others, including other governmental agencies.

The audit documentation for this engagement will be retained for a minimum of five years after the report release date or for any additional period requested by the regulatory agency. If we are aware that a federal awarding agency or auditee is contesting an audit finding, we will contact the party(ies) contesting the audit finding for guidance prior to destroying the audit documentation.

William J. Lauer, CPA, is the engagement partner and is responsible for supervising the engagement and signing the reports or authorizing another individual to sign them. We expect to begin our audit shortly after the end of your fiscal year and to issue our reports prior to June 30, 2022.

Our fees for these services will be at our standard hourly rates plus out-of-pocket costs (such as report reproduction, word processing, postage, travel, copies, telephone, etc.) except that we agree that our gross fee, including expenses, will not exceed \$11,625. Our standard hourly rates vary according to the degree of responsibility involved and the experience level of the personnel assigned to your audit. Our invoices for these fees will be rendered each month as work progresses and are payable on presentation.

The above fees are based on anticipated cooperation from your personnel and the assumption that unexpected circumstances will not be encountered during the audit. If we find that additional audit procedures are required, or if additional services are requested by the Commission, those services will be billed at our standard hourly rates. Additional audit procedures might be required for certain accounting issues or events, such as new contractual agreements, transactions and legal requirements of significant new grants, new funds, major capital projects, if there is an indication of misappropriation or misuse of public funds, or if significant difficulties are encountered due to the lack of accounting records, incomplete records, or turnover in the Commission's staff. If significant additional time is necessary, we will discuss it with you and arrive at a new fee estimate before we incur the additional costs.

In accordance with our firm policies, work may be suspended if your account becomes 60 days or more overdue and may not be resumed until your account is paid in full. If we elect to terminate our services for nonpayment, our engagement will be deemed to have been completed upon written notification of termination, even if we have not completed our report. You will be obligated to compensate us for all time expended and to reimburse us for all out-of-pocket costs through the date of termination.

Our audit engagement ends on delivery of our audit report. Any follow-up services that might be required will be a separate, new engagement. The terms and conditions of that new engagement will be governed by a new, specific engagement letter for that service.

With regard to the electronic dissemination of audited financial statements, including financial statements published electronically on your website, you understand that electronic sites are a means to distribute information and, therefore, we are not required to read the information contained in these sites or to consider the consistency of other information in the electronic site with the original document.

If you intend to publish or otherwise reproduce the financial statements, such as in a bond statement, and make reference to our firm name, you agree to provide us with printers' proofs or masters for our review and approval before printing. You also agree to provide us with a copy of the final reproduced material for our approval before it is distributed.

During the year, you might request additional services such as routine advice, assistance in implementing audit recommendations, review of your projections or budgets, and other similar projects. Independence standards allow us to perform these routine services; however, it is important that you understand that we are not allowed to make management decisions, perform management functions, nor can we audit our own work or provide nonaudit services that are significant to the subject matter of the audit.

Please be aware that e-mail is not a secure method of transmitting data. It can be intercepted, read, and possibly changed. Due to the large volume of e-mails sent daily, the likelihood of someone intercepting your e-mail is relatively small, but it does exist. We will communicate with you via e-mail, if you are willing to accept this risk.

To ensure that MMKR's independence is not impaired under the AICPA Code of Professional Conduct, you agree to inform the engagement partner before entering into any substantive employment discussions with any of our personnel.

If a dispute occurs related in any way to our services, our firm and the Commission agree to discuss the dispute and, if necessary, to promptly mediate in a good faith effort to resolve it. We will agree on a mediator, but if we cannot, either of us may apply to a court having personal jurisdiction over the parties for appointment of a mediator. We will share the mediator's fees and expenses equally, but otherwise will bear our own attorney fees and costs of the mediation. Participation in such mediation shall be a condition to either of us initiating litigation. To allow time for the mediation, any applicable statute of limitations shall be tolled for a period not to exceed 120 days from the date either of us first requests in writing to mediate the dispute.

The mediation shall be confidential in all respects, as allowed or required by law, except that our final settlement positions at mediation shall be admissible in litigation solely to determine the identity of the prevailing party for purposes of the awarding of attorney fees.

We both recognize the importance of performing our obligations under this agreement in a timely way and fully cooperating with the other. In the event that either of us fails to timely perform or fully cooperate, the other party may, in its sole discretion, elect to suspend performance or terminate the agreement regardless of the prejudice to the other person. We agree we will give 10 days' written notice of an intent to suspend or terminate, specifying the grounds for our decision, and will give the other an opportunity to cure the circumstances cited as grounds for that decision. In the event of suspension or termination, all fees and costs are immediately due on billing.

We agree that it is important that disputes be discussed and resolved promptly. For that reason, we agree that, notwithstanding any other statutes of limitations or court decisions concerning them, all claims either of us may have will be barred unless brought within one year of the date the complaining party first incurs any damage of any kind, whether discovered or not, related in any way to acts or omissions of the other party, whether or not the complaining party seeks recovery for that first damage and whether or not we have continued to maintain a business relationship after the first damage occurred. Notwithstanding anything in this letter to the contrary, we agree that regardless of where the Commission is located, or where this agreement is physically signed, this agreement shall have been deemed to have been entered into at our office in Hennepin County, Minnesota, and Hennepin County shall be the exclusive venue and jurisdiction for resolving disputes related to this agreement. This agreement shall be interpreted and governed under the laws of Minnesota.

When requested, *Government Auditing Standards* require that we provide you with a copy of our most recent external peer review report and any letter of comment, and any subsequent peer review reports and letters of comment received during the period of the contract. Our most recent peer review report accompanies this letter.

## **Reporting**

We will issue a written report upon completion of our audit of the Commission's financial statements. Our report will be addressed to the Board of Commissioners and Management of the Commission. Circumstances may arise in which our report may differ from its expected form and content based on the results of our audit. Depending on the nature of these circumstances, it may be necessary for us to modify our opinions, add a separate section, or add an emphasis-of-matter or other-matter paragraph to our auditor's report, or if necessary, withdraw from this engagement. If our opinions are other than unmodified, we will discuss the reasons with you in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed opinions, we may decline to express opinions or issue reports, or we may withdraw from this engagement.

We will also provide a report (that does not include an opinion) on internal control related to the financial statements and compliance with the provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a material effect on the financial statements as required by *Government Auditing Standards*. The report on internal control and on compliance and other matters will state (1) that the purpose of the report is solely to describe the scope of testing of internal control and compliance, and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control on compliance, and (2) that the report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. The report will also state that the report is not suitable for any other purpose.

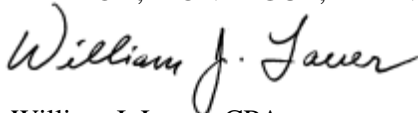
We will also provide a report (that does not include an opinion) on the Commission's compliance with applicable provisions of the *Minnesota Legal Compliance Audit Guide*, promulgated by the State Auditor pursuant to Minnesota Statutes § 6.65. The report will state (1) whether, in connection with our audit, anything came to our attention that caused us to believe that the Commission failed to comply with the applicable provisions of the *Minnesota Legal Compliance Audit Guide*, insofar as they relate to accounting matters, and (2) that the purpose of the report is solely to describe the scope of our testing of compliance and the results of that testing, and not to provide an opinion on compliance. The report will also state that the report is not suitable for any other purpose.

If during our audit we become aware that the Commission is subject to an audit requirement that is not encompassed in the terms of this engagement, we will communicate to management and those charged with governance that an audit in accordance with U.S. generally accepted auditing standards and the standards for financial audits contained in *Government Auditing Standards* may not satisfy the relevant legal, regulatory, or contractual requirements.

We appreciate the opportunity to be of service to the Commission and believe this letter accurately summarizes the significant terms of our engagement. If you have any questions, please let us know. If you agree with the terms of our engagement as described in this letter, please sign the attached copy and return it to [mmkr@mmkr.com](mailto:mmkr@mmkr.com).

Sincerely,

MALLOY, MONTAGUE, KARNOWSKI, RADOSEVICH & CO., P.A.



William J. Lauer, CPA  
Principal

WJL:lmb

Response:

This letter correctly sets forth the understanding of the Bassett Creek Watershed Management Commission.

	<u>Board of Commissioners Representative</u>	<u>Management Representative</u>
By:	_____	_____
Title:	_____	_____
Date:	_____	_____



## PROFESSIONAL SERVICES AGREEMENT

This Professional Services Agreement (this “Agreement”) is effective on the 1<sup>st</sup> day of February, 2022 (the “Effective Date”) by and between the Bassett Creek Watershed Management Commission, a Minnesota joint powers organization (the “Commission”), and Redpath and Company, Ltd., a Minnesota business corporation (the “Contractor”).

**I. SERVICES TO BE PROVIDED.** The Contractor will perform for the Commission monthly bookkeeping services and annual financial audit assistance services as detailed and further specified in the Contractor’s engagement letter proposal, attached hereto as Exhibit A and incorporated into this Agreement as if fully set forth herein (the “Proposal”). If any terms contained in the Proposal conflict with any terms in this written Agreement, the terms in the Agreement shall prevail. All professional services provided by the Contractor under this Agreement shall be provided in a manner consistent with the level of care and skill ordinarily exercised by professional consultants currently providing similar services.

**II. COST OF SERVICES.** For monthly bookkeeping services, from February 1, 2022 through January 31, 2023, a flat monthly fee of \$1,000. For annual financial audit assistance services, which are expected to occur during February and March of 2023 and shall not exceed 10 hours without the Commission’s prior written approval, the Commission shall pay the Contractor an hourly fee of \$160. No additional commissions, fees, or reimbursement shall otherwise be due under this Agreement, and unless otherwise expressly agreed to by the Commission in writing, the total compensation paid to the Contractor under this Agreement shall not exceed \$13,600. Likewise, the Commission shall not be responsible for payment for any work performed by the Contractor that is not expressly listed on the Proposal unless otherwise expressly agreed to by the Commission in writing. The Contractor shall submit invoices for the services it provides to the Commission on a monthly basis. The itemized invoices shall identify all work completed, and once approved, invoices submitted will be processed and paid in the same manner as other claims made to the Commission, and in accordance with Minnesota Statutes, section 471.425.

**III. TERM; TERMINATION.** The term of this Agreement shall begin on the Effective Date and end on March 31, 2023. Notwithstanding any other provision herein to the contrary, this Agreement may be terminated as follows: (1) the parties, by mutual written agreement, may terminate this Agreement at any time; (2) the Contractor may terminate this Agreement in the event of a material breach of the Agreement by the Commission, upon providing 30 days’ written notice to the Commission, if the Commission fails to cure said breach within those 30 days; and (3) the Commission may terminate this Agreement at any time at its option, for any reason or no reason at all, upon providing 30 days’ written notice to the Contractor.

**IV. INDEPENDENT CONTRACTOR.** All services provided pursuant to this Agreement shall be provided by the Contractor as an independent contractor and not as an employee of the Commission for any purpose. Any and all officers, employees, subcontractors, and agents of the Contractor, or any other person engaged by the Contractor in the performance of work or services pursuant to this Agreement, shall not be considered employees of the Commission. Any and all actions which arise as a consequence of any act or omission on the part of the Contractor, its officers, employees, subcontractors, or agents, or other persons engaged by the Contractor in the performance of work or services pursuant to this Agreement, shall not be the obligation or responsibility of the Commission.

**V. INDEMNIFICATION.** The Contractor, and any and all officers, employees, and agents of the Contractor, or any other person engaged by the Contractor in the performance of work or services pursuant

to this Agreement, shall indemnify, defend, and hold harmless the Commission and its officials, employees, contractors and agents from any loss, claim, liability, and expense (including reasonable attorneys' fees and expenses of litigation) arising from, or based in the whole, or in any part, on any negligent act or omission by the Contractor, its officers, employees, and agents, or any other person engaged by the Contractor in the performance of work or services pursuant to this Agreement. In no event shall the Commission be liable to the Contractor for consequential, incidental, indirect, special, or punitive damages. Nothing in this Agreement shall constitute a waiver or limitation of any immunity or limitation on liability to which the Commission is entitled under Minnesota Statutes, Chapter 466 or otherwise.

**VI. INSURANCE.** The Contractor agrees that before any of the services can be performed hereunder, the Contractor shall procure at a minimum: worker's compensation Insurance as required by Minnesota state law; professional liability in an amount not less than \$1,000,000.00 per occurrence and \$2,000,000 in the aggregate; and commercial general liability in an amount of not less than \$1,500,000.00 per occurrence for bodily injury or death arising out of each occurrence, and \$1,500,000.00 per occurrence for property damage. To meet the commercial general liability requirements, the Contractor may use a combination of excess and umbrella coverage. The Contractor shall provide the Commission with a current certificate of insurance listing the Commission as an additional insured with respect to the commercial general liability and umbrella or excess liability. Such certificate of liability insurance shall contain a statement that such policies shall not be canceled or amended unless 30 days' written notice is provided to the Commission, 10 days' written notice in the case of non-payment.

**VII. CONFLICT OF INTEREST.** The Contractor shall use best efforts to meet all professional obligations to avoid conflicts of interest and appearances of impropriety.

**VIII. THIRD PARTY RIGHTS.** The Parties to this Agreement do not intend to confer on any third party any rights under this Agreement.

**IX. NOTICES.** Any notices permitted or required by this Agreement shall be deemed given when personally delivered or upon deposit in the United States mail, postage fully prepaid, certified, return receipt requested, addressed to:

Contractor: Redpath and Company, Ltd.  
55 Fifth Street East, Suite 1400  
St. Paul, MN 55101  
Attn: \_\_\_\_\_

Commission: Bassett Creek Watershed Management Commission  
Attention: Laura Jester  
16145 Hillcrest Lane  
Eden Prairie, MN 55346

or such other contact information as either party may provide to the other by notice given in accordance with this provision.

**X. MISCELLANEOUS PROVISIONS.**

**A. Entire Agreement.** This Agreement shall constitute the entire agreement between the Commission and the Contractor, and supersedes any other written or oral agreements between the

Commission and the Contractor. This Agreement can only be modified in writing signed by the Commission and the Contractor.

**B. Data Practices Act Compliance.** Data provided, produced or obtained under this Agreement shall be administered in accordance with the Minnesota Government Data Practices Act, Minnesota Statutes Chapter 13. The Contractor will immediately report to the Commission any requests from third parties for information relating to this Agreement. The Contractor agrees to promptly respond to inquiries from the Commission concerning data requests.

**C. Audit.** The Contractor must allow the Commission, or its duly authorized agents, and the state auditor or legislative auditor reasonable access to the Contractor's books, records, documents, and accounting procedures and practices that are pertinent to all Services provided under this Agreement for a minimum of six years from the termination of this Agreement.

**D. Choice of Law and Venue.** This Agreement shall be governed by and construed in accordance with the laws of Minnesota. Any disputes, controversies, or claims arising under this Agreement shall be heard in the state or federal courts of Minnesota and the parties waive any objections to jurisdiction.

**E. No Assignment.** This Agreement may not be assigned by either party without the written consent of the other party.

**F. No Discrimination.** The Contractor agrees not to discriminate in providing products and services under this Agreement on the basis of race, color, sex, creed, national origin, disability, age, sexual orientation, status with regard to public assistance, or religion.

**G. Severability.** The provisions of this Agreement are severable. If any portion of this Agreement is, for any reason, held by a court of competent jurisdiction to be contrary to law, such decision will not affect the remaining provisions of the Agreement.

**H. Waiver.** Any waiver by either party of a breach of any provision of this Agreement will not affect, in any respect, the validity of the remainder of this Agreement.

**I. Compliance with Laws.** The Contractor shall exercise due professional care to comply with applicable federal, state and local laws, rules, ordinances and regulations in effect as of the date the Contractor agrees to provide the services contemplated herein.

**J. Headings.** The headings contained in this Agreement have been inserted for convenience of reference only and shall in no way define, limit, or affect the scope and intent of this Agreement.

[remainder of page left intentionally blank]

**IN WITNESS WHEREOF**, the parties hereto have executed, or caused to be executed by their duly authorized officials, this Agreement which shall take effect on the date first written above.

**THE COMMISSION:**

**CONTRACTOR:**

By: \_\_\_\_\_  
Its: Chair

By: \_\_\_\_\_

By: \_\_\_\_\_  
Its: Secretary

Its: \_\_\_\_\_

**EXHIBIT A**  
The Proposal



January 28, 2021

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

Dear Commissioners:

This letter defines the agreement with respect to the terms and objectives of our engagement and the nature and limitations of the services Redpath and Company, Ltd. will provide for Bassett Creek Watershed Management Commission.

**SERVICES**

**Bookkeeping Services**

Redpath and Company, Ltd. will enter invoices and receipts into Sage accounting system, generates monthly financial statements, including:

- Customized check register.
- Financial Reports.
- Administrative and program budget report.
- Statement of revenue, expenditures and changes in fund balance.
- Income statement/balance sheet.
- Budget to actual comparisons for all funds.
- Schedules of each fund.

Included in services:

- Preparing monthly checks and financial statements, including administrative and program/project budget reports.
- Depositing review fee checks.
- Posting receipts from grant funding to appropriate accounts.
- Monitoring and managing investment funds.
- Submitting all reporting requirements to the Office of the State Auditor.

We will not perform any procedures to verify or corroborate the information supplied to us by Commission nor will we audit the information. The management of Commission, not our firm, is responsible for the accuracy of the information we use to update your general ledger.

55 5th Street East, Suite 1400, St. Paul, MN, 55101 651.426.7000 [www.redpathcpas.com](http://www.redpathcpas.com)

As part of performing bookkeeping services, we may propose standard, adjusting, or correcting journal entries to your general ledger. You are responsible for reviewing the entries and understanding the nature of any proposed entries and the impact they have on your accounting records. You are responsible for designating a qualified management-level individual to be responsible and accountable for overseeing these services.

### **INFORMATION REQUIREMENTS**

We will provide you with an information request, which outlines the information needed to complete our services.

The terms of this engagement, including timing and estimated cost, is directly dependent on the quality and timeliness of the information and data you provide. A lack of information may also cause delays in the timely completion of the engagement. In the event that information cannot be provided, you may incur additional costs if we attempted to generate such information, or we may even be unable to continue the engagement in the absence of such information. It is in your best interest to provide accurate and timely information.

### **FEEES**

Our fees are generally based on time expended and out-of-pocket expenses. However, fees may also include other relevant factors, such as:

- the difficulty of the questions and the skill required to perform the accounting, tax, or other services properly
- time limitations imposed either by you or the circumstances
- the nature and length of the professional relationship between us
- the experience, reputation and ability of the accountant or accountants assigned to the engagement

We bill our fees monthly as work progresses and expect payment within thirty (30) days. Each invoice includes a detailed description of the services provided. Amounts over thirty (30) days will be considered delinquent. We reserve the right to assess a 1.5% per month service charge on any balance older than thirty (30) days. In the event it becomes necessary to refer this account to an attorney for collection (whether or not suit is commenced), you will be responsible for payment of all reasonable costs of such collections, including reasonable attorney fees. Our policy is to suspend work if your account becomes overdue by sixty (60) days or more, and work will not be resumed until your account is paid in full. Should we elect to discontinue services, you will be responsible for all time and expenses incurred through the date of termination regardless of whether we have issued a report or other final product.

Our fees will be as follows:

Monthly Accounting Services	\$1,000/month
Annual Financial Audit Assistance	\$150/hr
Initial Set Up Fee	\$500

You will also be billed for travel and other out-of-pocket costs such as report production, word processing, postage, etc.

The above fees are based on the anticipated scope of services, anticipated cooperation from your personnel and the assumption that unexpected circumstances will not be encountered. Bassett Creek Watershed Management Commission acknowledges that the following circumstances may result in a change in scope of services and an increase in fees:

- New accounting standards or tax law changes,
- Failure by the Commission to complete the accounting services preparation work by the applicable due dates,
- Inaccurate records,
- Turnover in your staff,
- Significant unanticipated or undisclosed transactions, issues, or other such unforeseeable circumstances,
- Delays by the Commission causing scheduling changes or disruption of previously scheduled timing of work (fieldwork),
- Circumstances requiring revisions to work previously completed or delays in resolution of issues that extend the period of time necessary to complete the accounting services, and
- Issues with the prior accounting department, prior year account balances, or disclosures that impact the current year adjustments.

Services requested by you that are not included in this engagement letter will be billed at our hourly rates or a previously agreed to project fee and will be subject to all the terms of this letter.

Our fees and rates are adjusted annually for general economic factors.

If we are requested or required to provide documents or testimony to support litigation proceedings as a professional service on your behalf (that is, litigation in which we are not a party as a result of our engagement.), you will be billed for our time at the current standard rates and all out-of-pocket expenditures, including copying costs and legal fees.

**DELIVERABLES**

All financial statements prepared by Redpath will be delivered to you electronically.



All tax filings prepared by Redpath will be delivered to you electronically, however, we will provide a paper filing copy of any tax return that can't be filed electronically with the taxing authority. Electronic delivery is secure and simplifies the client authorization process for the electronic filing of tax returns.

## **RECORD KEEPING RESPONSIBILITIES**

The AICPA Code of Professional Conduct requires Redpath to maintain our independence with regard to certain attestation services provided to Bassett Creek Watershed Management Commission. These rules require Bassett Creek Watershed Management Commission to take responsibility for all nonattest services. Redpath cannot serve as custodian for your data in such a way that your data is incomplete and accessible only through Redpath or the Redpath portal. As such, any tax return, financial report, reconciliation, document, and/or calculation (depreciation schedules, various tax calculations and journal entry support, etc) that we prepare or update on your behalf will be sent to you at the completion of each attest or nonattest service. You are responsible for downloading and maintaining these records as well as all supporting documentation generated in the normal course of business operations until the retention period expires.

Our responsibility is to maintain client records for the minimum required time period in compliance with federal and state laws and regulations (generally three to six years). Our firm's records retention policy will differ considerably from yours. Every business (or individual) has different record keeping requirements, because regulations vary by industry, entity structure, the state(s) of operation, and most importantly, the needs to the specific business (or individual). Retention policies are determined by taking into consideration legal, fiscal, operational, and historical values of any given type of record.

## **CONFIDENTIALITY**

We may from time to time, and depending on the circumstances, use third-party service providers in serving your account. We may share confidential information about you with these service providers but remain committed to maintaining the confidentiality and security of your information. Accordingly, we maintain internal policies, procedures and safeguards to protect the confidentiality of your personal information. In addition, we will secure confidentiality agreements with all service providers to maintain the confidentiality of your information and we will take reasonable precautions to determine that they have appropriate procedures in place to prevent the unauthorized release of your confidential information to others. In the event that we are unable to secure an appropriate confidentiality agreement, you will be asked to provide your consent prior to the sharing of your confidential information with the third-party service provider. Furthermore, we will remain responsible for the work provided by any such third-party service providers.



## **PRIVACY**

We have established policies and procedures to ensure that client's non-public, personal information is private and secure at all times. We maintain physical, electronic and procedural controls to comply with standards in safeguarding your information from loss, misuse, alteration or destruction (unless the destruction is according to our records retention schedule). We do not sell information to third parties. We do not disclose non-public information except as necessary to provide our services (see Confidentiality above) and as required by law. We do not disclose non-public information we receive to our affiliates unless authorized.

## **DISPUTE RESOLUTION**

In the event of a dispute over fees for our engagement, you, the Commission and our firm mutually agree to try in good faith to resolve the dispute through mediation by selecting a third-party to help reach an agreement, in accordance with the following paragraph (Mediation). If we are unable to resolve the fee dispute through mediation, then, with the consent of both parties, such disputes may be settled by binding arbitration. **We both acknowledge that should a dispute over fees arise that cannot be resolved through mediation, each of us is giving up the right to have the dispute decided in a court of law before a judge or jury. Instead, we are accepting the use of arbitration for resolution.**

We believe that most disagreements can be resolved to mutual satisfaction in a friendly, non-threatening environment. While we do not expect there to be any problems whatsoever with our relationship, misunderstandings can occur. Therefore, we agree that any dispute arising under this agreement (including the scope, nature and quality of services to be performed by us, our fees or other terms of the engagement) shall be submitted to mediation. A competent and impartial third-party, acceptable to both parties, shall be appointed to mediate, and each disputing party shall pay an equal percentage of the mediator's fees and expenses. No suit or arbitration proceeding shall be commenced under this agreement until at least sixty (60) days after the mediator's first meeting with the involved parties. If the dispute requires litigation, the court shall be authorized to impose all defense costs against any non-prevailing party found not to have participated in the mediation process in good faith.

## **OTHER MATTERS**

### **Non-Solicitation of Employees**

In recognition of the importance of our employees it is hereby agreed that Bassett Creek Watershed Management Commission will not solicit our employees for employment or enter into an independent contractor arrangement with any individual who is or was an employee of Redpath and Company for a period of twelve months following the date of the conclusion of this engagement. If Bassett Creek Watershed Management Commission violates this non solicitation clause, Bassett Creek Watershed Management Commission agrees to pay Redpath and Company

a fee equal to 25% of the hired person's last annual salary at Redpath and Company at the time of violation so as to reimburse Redpath and Company for the costs of hiring and training a replacement.

This letter supersedes all prior communications, understandings, and agreements, whether oral or written, in connection with this engagement. Amendments to this agreement must be in writing and signed by both parties. This letter covers our current year of service and each year thereafter until amended. If you do not understand any of the terms of this agreement, please call me and I will be happy to review them with you.

Melissa Orth has been assigned as the client manager and primary contact for all of your services. Please feel free to contact Melissa directly at 651.407.5876.

Bassett Creek Watershed Management Commission  
January 28, 2021  
Page 7

Thank you for the opportunity to be of service. We look forward to a long and mutually beneficial relationship.

Sincerely,

REDPATH AND COMPANY, LTD.



Mark C. Gibbs, CPA

MCG/wed

**Response**

This letter correctly sets forth the understanding of the following services for Bassett Creek Watershed Management Commission.

If you agree to the terms of this engagement, please designate below the individual who will be overseeing our services, sign this letter and return it to us via DocuSign. If a designated individual is not assigned below, it will be assumed that the individual who signs the engagement letter will oversee our services.

\_\_\_\_\_  
Designated individual responsible for  
overseeing our services

\_\_\_\_\_  
Management signature

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date





BASSETT CREEK WATERSHED MANAGEMENT COMMISSION

A RESOLUTION OF APPRECIATION FOR THE SERVICES OF JIM DE LAMBERT  
TO THE BASSETT CREEK WATERSHED MANAGEMENT COMMISSION

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

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

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

WHEREAS, Jim de Lambert served as a representative from the City of St. Louis Park for more than twelve years from September 2009 to January 2022; and

WHEREAS, Jim provided significant leadership to the Commission over many years, serving as Secretary in 2011, Vice Chair in 2012, Chair 2013 – 2018, and Secretary 2019 – 2021; and

WHEREAS, Jim participated on several Commission committees during his tenure including the Budget Committee and Administrative Services Committee; and

WHEREAS, Jim assisted with the development and adoption of the 2015 Bassett Creek Watershed Management Plan by serving on the Plan Steering Committee and helping to shepherd the draft plan through the review process as Commission Chair; and

WHEREAS, Jim actively participated in outreach efforts and engaged with watershed residents at multiple events in St. Louis Park and other member cities; and

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

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

Adopted by the Board of Commissioners of the Bassett Creek Watershed Management Commission this 20<sup>th</sup> day of January, 2022.

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Chair



## BASSETT CREEK WATERSHED MANAGEMENT COMMISSION

### A RESOLUTION OF APPRECIATION FOR THE SERVICES OF JAMES PROM TO THE BASSETT CREEK WATERSHED MANAGEMENT COMMISSION

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

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

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

WHEREAS, James Prom served as a representative from the City of Plymouth for five years from February 2017 to December 2021; and

WHEREAS, James provided leadership to the Commission serving as Vice Chair in 2018, and serving as Chair in 2019 and 2020; and

WHEREAS, James served on the Commission's Budget Committee in 2017 and 2019 - 2020, the Administrative Services Committee 2018 – 2021, and the Capital Improvement Program Prioritization Committee in 2018; and

WHEREAS, James was a helpful and active participant in the development of feasibility studies and the implementation of several Commission projects in the City of Plymouth; and

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

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

Adopted by the Board of Commissioners of the Bassett Creek Watershed Management Commission this 20<sup>th</sup> day of January, 2022.

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Chair



BASSETT CREEK WATERSHED MANAGEMENT COMMISSION

A RESOLUTION OF APPRECIATION FOR THE SERVICES OF MIKE FRUEN  
TO THE BASSETT CREEK WATERSHED MANAGEMENT COMMISSION

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

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

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

WHEREAS, Mike Fruen served as a representative from the City of Minnetonka for six years from February 2016 until his untimely passing in December 2021; and

WHEREAS, Mike served on the Commission’s Education Committee for three years which included planning the BCWMC 50<sup>th</sup> Anniversary Celebration; and

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

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

Adopted by the Board of Commissioners of the Bassett Creek Watershed Management Commission this 20<sup>th</sup> day of January, 2022.

\_\_\_\_\_  
Chair





BASSETT CREEK WATERSHED MANAGEMENT COMMISSION

A RESOLUTION OF APPRECIATION FOR SERVICES OF DAWN PAPE  
TO THE BASSETT CREEK WATERSHED MANAGEMENT COMMISSION

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

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

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

WHEREAS, Dawn Pape served as the Commission’s Education Consultant from 2016 to 2021; and

WHEREAS, Dawn performed a variety of important tasks over the years including writing monthly columns for local newspapers; starting, growing and maintaining Commission social media accounts; and developing multiple short educational videos - all of which relayed important information to the public about Commission projects, watershed resources, the effects of various pollutants, and best practices for residents and others to protect and improve lakes and streams; and

WHEREAS Dawn’s creativity, energy, and talent contributed to multiple successful educational campaigns for the Commission including development of catchy educational games, effective banners, and streamlined, targeted print materials around important topics like chloride pollution and aquatic invasive species; and

WHEREAS, with Dawn’s leadership, the Commission’s education activities grew into a robust Bassett Creek Watershed Education Program.

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

Adopted by the Board of Commissioners of the Bassett Creek Watershed Management Commission this 16<sup>th</sup> day of December, 2021.

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Chair





## Metro Blooms

3747 Cedar Ave S,  
Minneapolis, MN 55407  
651-699-2426  
www.metroblooms.org

### **Northside Pollinator Project Update + Request**

**Scope:** The Northside Pollinator Project aims to replace conventional turfgrass lawns with gardens, trees and shrubs that will add beauty to the community, clean our water, and protect our bees and butterflies. This is done in relationship with community members and community organizations, catalyzing long term behavior change as residents see themselves as stewards of our earth and their communities.

**Partners:** Bassett Creek Watershed Management Commission, MN Board of Water and Soil Resources, Mortenson Family Foundation, City of Minneapolis, Northside community coalition and neighborhood organizations

**Current Funding:** Includes \$40,000 Lawns to Legumes grant to the BCWMC and passed to Metro Blooms for implementation.

### **2020-2021 Update:**

Over the past two years, Metro Blooms has developed partnerships with local neighborhood organizations to lead this project, including Harrison Neighborhood Organization, Minnesota Interfaith Power and Light, Jordan Area Community Council, and Northside Residents Redevelopment Council, among others. We subcontracted with these organizations to lead initial participant engagement. Between 2020-2021, 42 properties were engaged to install pollinator plantings, native trees and shrubs.

Metro Blooms collaborated with MWMO to produce a video highlighting this project, and how it has impacted residents within the community. MWMO provided funding for projects that fell outside of Bassett Creek Watershed. Video: [https://www.youtube.com/watch?v=k7csnA\\_TblQ](https://www.youtube.com/watch?v=k7csnA_TblQ)

In fall of 2021, we began additional engagement with matching funds from the City of Minneapolis to incorporate boulevard bioswales with the project. This engagement is focused around 5-6 community pods, primarily centered around Northside congregations and deeply rooted community organizations. This work builds on the Lawns to Legumes approach from 2020-2021. We will continue to build on this model in 2022 as well. We are planning to work with a final 3-6 properties in spring 2022 to install the last pollinator plantings, trees, and shrubs that will be funded through the current Lawns to Legumes grant. These will be installed in people's yards, likely in conjunction with boulevard plantings.

### **Projects completed to date:**

- 42 pollinator plantings (2,925 square feet native habitat)
- 55 native trees and shrubs

**Remaining funds (to be spent spring 2022):** \$4,894

### **2022 Request for Phase 2:**

Metro Blooms and community partners are requesting partnership with Bassett Creek Watershed Management Commission to apply for a Phase 2 Lawns to Legumes Demonstration Neighborhood Grant from BWSR to fund the continuation of this project. Because Metro Blooms is substantially involved with the broader Lawns to Legumes program, BWSR has asked we partner with other eligible entities to submit Demonstration Neighborhood grants to avoid any perceived conflicts of interest.

*Metro Blooms partners with communities to create resilient landscapes and foster clean watersheds, embracing the values of equity and inclusion to solve environmental challenges.*

Grow. Bloom. Inspire!

**Proposed Request:** \$20,000

**Match:** \$6,000 Mortenson Family Foundation (secured); City of Minneapolis Boulevard Bioswale project (funding in place for 2022, proposed for continuation in 2023)

**Grant Application Due Date:** February 3, 2022

**Request for Proposals:** <https://bwsr.state.mn.us/sites/default/files/2021-11/FY22%20L2L%20Phase%202%20RFP%20Final.pdf>

### **Proposed Approach:**

Through a Phase 2 demonstration project we would build on our community pod approach developed through the boulevard bioswales project. When we meet with boulevard participants (projected 60 installations in 2022 and additional projects in 2023) we talk about all available opportunities. All sites in pod 1 (7 sites) currently being engaged have expressed interest in a lawn planting and/or additional trees as well as a boulevard project. This includes residents, church leaders, and community elders. We're working with church leaders in Harrison and Willard Hay to create demonstration sites at neighborhood houses of worship in addition to residential plantings.

Training opportunities with local youth and young adults are also a focus for Phase 2. We have a cohort of 29 youth from the All Nations community attending our Sustainable Landcare Training right now. We hope to provide apprenticeship opportunities to some of these youth through a continuation of the Lawns to Legumes program in Near North.

**Proposed Scope:** 2-3 larger plantings at community sites as well as 10-15 additional residential plantings including pollinator gardens, native trees and shrubs. We anticipate at least 85% of plantings will be within neighborhoods that fall within the Bassett Creek Watershed in Near North Minneapolis (Harrison and Willard Hay neighborhoods).

### **Photos & Testimonial:**



**Site consultation with Kristel Porter. Kristel's story:** *"This project provided beautification to our neighborhood, addressed the heat island effect, and lowered our carbon footprint. In North Minneapolis, we have a very low median income. Many of the property owners struggle financially and are unable to provide this update to their property. Through Lawns to Legumes, homeowners were able to attend a workshop that taught them the importance of gardens and knowing which plants should be incorporated into them. I am so grateful for this program and hope it continues for years to come."*

*Metro Blooms partners with communities to create resilient landscapes and foster clean watersheds, embracing the values of equity and inclusion to solve environmental challenges.*

Grow. Bloom. Inspire!



## Memorandum

**To:** Bassett Creek Watershed Management Commission  
**From:** Barr Engineering Co.  
**Subject:** Item 5A – Consider Approval of 50% Design Plans for 2021 Bryn Mawr Meadows Water Quality Improvement Project (2020 CIP Project BC-5) - BCWMC January 20, 2022 Meeting Agenda  
**Date:** January 13, 2022  
**Project:** 23271887.00

### **5A Consider Approval of 50% Design Plans for 2021 Bryn Mawr Meadows Water Quality Improvement Project, Minneapolis (2021 CIP Project BC-5)**

#### **Summary:**

**Proposed Work:** 2021 Bryn Mawr Meadows Water Quality Improvement Project, Minneapolis (2021 CIP Project BC-5)

**Basis for Commission Review:** 50% Design Plans Review

**Change in Impervious Surface:** N.A.

#### **Recommendations:**

- 1) Consider approval of 50% drawings
- 2) Consider options for reducing the increase in estimated construction cost
- 3) Authorize Commission Engineer to continue design and bring 90% design plans to a future Commission meeting

The Bassett Creek Watershed Management Commission (BCWMC) is funding the estimated \$912,000 "Water Quality Improvements in Bryn Mawr Meadows Project" (Main Stem Watershed) (2021 CIP Project BC-5):

- \$512,000 funded through a combination of CIP levies collected in tax years 2020 – 2021,
- Remaining \$400,000 funded through a Clean Water Fund grant from the Minnesota Board of Water and Soil Resources.

Unlike most CIP projects where the BCWMC enters into an agreement with a member city to design and construct the project, the BCWMC is designing and overseeing construction management of this project, in close coordination with the Minneapolis Park and Recreation Board (MPRB) and the City of Minneapolis (City). The water quality improvements project will be bid and constructed as part of Phase I of the MPRB's Bryn Mawr Meadows Park Improvements project. At their November 2020 meeting, the Commission approved a timeline for implementation and directed the Commission Engineer to prepare a

**To:** Bassett Creek Watershed Management Commission  
**From:** Barr Engineering Co.  
**Subject:** Item 5A – Consider Approval of 50% Design Plans for 2021 Bryn Mawr Meadows Water Quality Improvement Project (2020 CIP Project BC-5) - BCWMC January 20, 2022 Meeting Agenda  
**Date:** January 13, 2022  
**Page:** 2

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scope of work for project design and engineering. The Commission approved the engineering scope and budget at their June 2021 meeting.

The Commission Engineer completed the 50% design plans. Pursuant to the approved work scope, the Commission must review and approve the design plans.

## **Feasibility Study and Selected Project**

The BCWMC's *Feasibility Report for Bryn Mawr Meadows Water Quality Improvement Project* (Barr Engineering, January 2019) considered three concepts for diverting stormwater from City of Minneapolis storm sewer into Bryn Mawr Meadows Park, directing the water into new stormwater treatment ponds to achieve above-and-beyond water quality improvements. The Commission approved the *Bryn Mawr Meadows Water Quality Improvement Project Feasibility Study* in January 2019 and selected implementation of Concept #3 – Northwest Neighborhood Diversion and Penn Pond Low Flow Diversion. The approved concept would capture and divert stormwater runoff from 45.1-acres of residential area west of Bryn Mawr Meadows Park and low flows that discharge from the Minnesota Department of Transportation's (MnDOT's) Penn Pond. Stormwater runoff from the residential area currently flows to Bassett Creek untreated.

The concept includes the construction of two new stormwater ponds within Bryn Mawr Meadows Park and the diversion of stormwater runoff through the installation of two storm sewer system retrofits: 1) the installation of a low-diversion weir within an existing City of Minneapolis manhole located south of the intersection at Morgan Ave South and Laurel Ave West; and 2) the rerouting of an existing storm sewer connection at the intersection of Laurel and Morgan Avenues, to divert flows from the Northwest Neighborhood into the new stormwater ponds. The feasibility study concept for these two retrofits includes the installation of a new 12-inch pipe to capture and direct flow from the low flow diversion into the stormwater ponds. The rerouting of flows at the Laurel and Morgan Avenues intersection involves combining the flow from 4 existing catch basins into a 15-inch pipe, which would then transmit the stormwater under Morgan Ave and into the ponds at the park. The installation of two new catch basins near the intersection was also included.

As part of the feasibility study, it was estimated that the project would remove an average of 30 pounds of total phosphorus each year; keeping these pollutants from entering Bassett Creek and ultimately the Mississippi River.

The feasibility report for the project formed the basis for the project design. The feasibility report and further project information can be found online at <https://www.bassettcreekwmo.org/projects/all-projects/bryn-mawr-meadows-water-quality-improvement-project>.

## **Design Features – 50% Plans**

The water quality improvement project Concept #3 was included as part of the public engagement process for the MPRB's Bryn Mawr Meadows Park Improvements project. MPRB held public meetings to receive feedback on their proposed park concepts, including the stormwater treatment ponds.

Representatives of the BCWMC attended all four open house events hosted by MPRB, for the project. Public feedback on proposed park concepts was mainly focused on park features and not the water quality improvement project concept.

Project design began following the approval of the final Bryn Mawr Meadows Park concept by the MPRB Board of Commissioners in November 2021. The approved park concept included the relocation and adjustments to the footprints of the water quality project stormwater ponds from the location originally planned for in the feasibility study. Thirty percent plans for the water quality improvement project were developed to accommodate this change and provided to MPRB and City staff for review and comment in December 2021.

Comments received on the 30% plans include a desire to adjust the ponds' outer boundaries to achieve a more naturalized appearance and a request to add one additional catch basin at the corner of Laurel and Morgan Avenues to improve the capture and routing of stormwater from that location. City comments also included the need to replace the pedestrian ramps on the western side of Morgan Avenue at Laurel, given the likely impacts from construction. The requested catch basin and pedestrian ramps have been included in the attached 50% plan set and cost estimate. MPRB's park design team is updating the pond footprints, which will be incorporated into the water quality improvement project plans before the 90% submittal.

Similar to the feasibility study, the main components of the 50% design include:

- 1) Stormwater Ponds within Bryn Mawr Meadows Park. Two stormwater treatment ponds, a pond outlet structure, new storm sewer pipes to connect the ponds, and associated appurtenances will be installed in the northwest area of the park. Pond edges will be landscaped with native plants, that merge into the surrounding park's native planting area.
- 2) Low flow diversion weir within an existing City manhole south of the Morgan and Laurel Avenues intersection and addition of a 12-inch pipe diverting flow into the stormwater treatment ponds.
- 3) Rerouting of city storm sewer and addition of an 18-inch pipe to divert flows from the Northwest Neighborhood. Improvements also include the installation of a new catch basin at the intersection of Morgan and Laurel Avenues. The 15-inch pipe assumed in the project feasibility study was upsized to 18-inch to provide sufficient capacity to carry flow at this location. The 18-inch pipe will cross over the top of an existing 42-inch pipe within Morgan Ave, requiring the use of a pipe saddle to allow for the crossing.

It is estimated that the water quality project, updated to reflect the 50% design, will remove an average of 29 pounds of total phosphorus each year.

## **Site Environmental Considerations**

Environmental impacts and subsurface debris from previous filling and historical site use were identified in the park during investigations completed at the site between 2017 and 2020. These investigations were completed through a grant from Hennepin County on behalf of the City, BCWMC and MPRB in

preparation for the project, and with funding from the City in preparation for the sanitary sewer replacement project extending through the Project area. The investigations identified fill with debris and petroleum-related contamination in site soils. The petroleum contamination was identified in the subsurface soils at about 3 to 7 feet deep along the historical roadway that ran west – east across the site, between the two proposed stormwater pond locations. Debris and historical foundations in the subsurface are also present in a former residential area on the west side of the park as a result of demolition of former homes and filling. Since the time of the 2017 and 2020 investigations, the proposed water quality pond sizes and locations have changed, so limited information is available in the current planned pond areas regarding contamination, but it is anticipated a portion of the on-park stormwater pipe trenches and pond areas have contaminated soils or debris. Metals and petroleum-related contamination were also identified in a groundwater sample at the site.

The scope of work for engineering services for the Bryn Mawr Meadows Water Quality project includes the preparation of a Response Action Plan (RAP) to address soil and groundwater contamination during construction of the project. The scope identifies that the RAP may be developed as a stand-alone document or as part of a RAP being developed for the park reconstruction project. At the time of this presentation, the MPRB has determined they will also pursue the development of a RAP to address contamination that may be encountered during construction of park features. The two RAPs will be developed as a single document, with MPRB funding those portions of the document that address park features. The RAP will be submitted to the MPCA by the MPRB for technical review and approval for the project. The RAP will propose the following actions:

- Excavated soils with petroleum impacts or debris will be segregated and disposed of at a RCRA subtitle D non-hazardous waste landfill. If petroleum contamination is identified at the bottom or sides of the excavations, additional over-excavation will be performed to remove the contaminated soil and replace it with clean soil from onsite to provide a minimum 4-foot clean soil cover between the ponds and contaminated soils. In any areas where a heavy petroleum sheen is observed on soils, a 20-foot buffer is planned.
- Storm sewer trenches in contaminated areas will be lined with a bentonite collar near the ponds to prevent preferential flow through the sewer trench materials of contaminated water into the ponds. Contaminated soils will not be used to backfill utility trenches.
- Field screening and additional soil sampling will be performed to further delineate the extent of contamination in the planned excavation areas. Field observations during the sanitary sewer construction prior to the BCWMC pond construction will also be used to inform the extent of contamination expected during the pond and storm sewer excavations. Depending on those observations, follow up test pits may also be completed to further assess the soils prior to pond construction.
- Buried footings or debris will also be removed and disposed of offsite as needed to implement the project.

- Dewatering water will be discharged to the sanitary sewer under a Metropolitan Council Environmental Services (MCES) Special Discharge Permit.

## Opinion of Cost

The table below summarizes our Engineer’s Opinion of Probable Costs, based on the 50% design plans. The detailed Opinion of Probable Costs is included as an attachment.

**Table 1 Summary of Estimated Costs – Concept #3, 50% Design**

Description		Estimated Cost
Mobilization / Demobilization		\$ 50,000.00
Erosion & Sediment Control		\$ 10,000.00
Traffic Control		\$ 10,000.00
Removals: Curb & Gutter, Pavement, Storm Sewer		\$ 9,412.00
Earthwork: Excavation, Hauling, Disposal, Backfill, and Compaction		\$ 553,034.20
Environmental Response Contingency		\$ 108,000.00
Storm Sewer: Piping, Structures, Collars, and Riprap		\$ 189,975.00
Roadway Restoration: Class 5, Curb & Gutter, Paving		\$ 52,050.00
Vegetation: Seed & Mulch, Plugs, Shrubs, and 3-Year Establishment		\$ 59,500.00
Construction Subtotal <sup>1</sup>		\$ 1,042,000.00
Construction Contingency (15%)		\$ 156,000.00
<b>Total w/Construction Contingency</b>		<b>\$ 1,198,000.00</b>
<b>ESTIMATED ACCURACY RANGE</b>	<b>-15%</b>	<b>\$ 1,019,000.00</b>
	<b>20%</b>	<b>\$ 1,438,000.00</b>

<sup>1</sup> Estimate costs are reported to nearest thousand dollars.

The total estimated project costs including design and engineering are currently over the overall budget allowed for this project. The Opinion of probable construction costs within the feasibility study was estimated at \$611,000. Estimated construction costs at the 50% design are \$1,198,000.

There are several reasons for the difference between estimated costs at the feasibility stage compared to the 50% design, including:

- In the 3.5 years that have passed since the completion of the project feasibility study, unprecedented inflation has greatly increased construction unit costs.
- Additional environmental information collected at the site has shown increased contamination in the stormwater pond areas.
- Design has progressed and additional street removal and reconstruction is required to capture as much of the low flow as possible.
- Recommendations for landscaping along the pond edges have matured. Supplemental plantings in this area will help with vegetation establishment. Originally seed was estimated for costs,



however the ponds will bounce often enough that more mature plants should be used during establishment. This will help with erosion prevention and aesthetics.

Potential options for reducing project construction costs may include:

- Reducing the depth of the stormwater ponds. Multiple scenarios with different reduced depths, cost savings, and impact on pollutant removal and cost per pound pollutant removal will be presented at the meeting.
- Remove one of the ponds from the design and only build one pond. Cost savings and pollutant removal impacts will be presented at the meeting.
- Gather additional funds including possible use of FY2023 Watershed Based Implementation Funds of \$87,887; use of BCWMC Closed Project Funds; requesting additional tax levy funds through Hennepin County in 2023; or applying for a Hennepin County Opportunity grant (\$50,000 - \$100,000).

## Schedule

The Bryn Mawr Meadows Water Quality Project will be constructed as part of the larger park redevelopment project being managed by the MPRB. Park construction is planned to take place in 2022-2023. The table below summarizes the anticipated schedule.

Tasks and milestones	Estimated Schedule
Design – complete 50% plans and opinion of cost for Commission review and approval	January 2022 Commission meeting
Design – complete 90% plans and submit to MPRB and Minneapolis staff for review and approval	February 2022
Design – complete 90% plans specifications, and opinion of cost for Commission review and approval	Tentatively planning for March 2022 Commission meeting
Permitting (overseen by MPRB)	Ongoing through Spring/Summer 2022
Design – complete 100% plans specifications, and opinion of cost. Project will be bid with MPRB park redevelopment project.	Tentatively planning for April 2022
Bidding	April 2022
Construction	Summer 2022 – Spring 2023
Record drawings, final restoration, project closeout	Spring/Summer 2023

## Approvals/Permit Requirements

In addition to BCWMC approval of the plans, the following permitting and approvals are required for the project. Permitting for the water quality improvement project will be completed as part of the larger park reconstruction project and be led by MPRB and their consultants.

- 1) Minnesota Pollution Control Agency (MPCA) permitting. Because the CIP project features will be constructed as part of the larger park reconstruction project, which will result in more than one-acre of land disturbance, a Construction Stormwater General Permit will be required.
- 2) MPRB construction permit. This permit is required for all construction-related activities taking place on MPRB parkland.



**To:** Bassett Creek Watershed Management Commission  
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- 3) City of Minneapolis Soil Erosion and Sediment Control Permit. Because construction of the CIP project features will result in more than 500-square feet of land disturbance, a Soil Erosion and Sediment Control permit will be required.
- 4) City of Minneapolis Stormwater Management Plan. Because the CIP project features will be constructed as part of the larger park reconstruction project, which will result in more than one-acre of land disturbance, a Construction Stormwater General Permit will be required.
- 5) MCES Special Discharge Permit. In order to comply with the project's RAP, groundwater will be discharged to the sanitary sewer, which requires issuance of a Special Discharge Permit from MCES.

## **Recommendations**

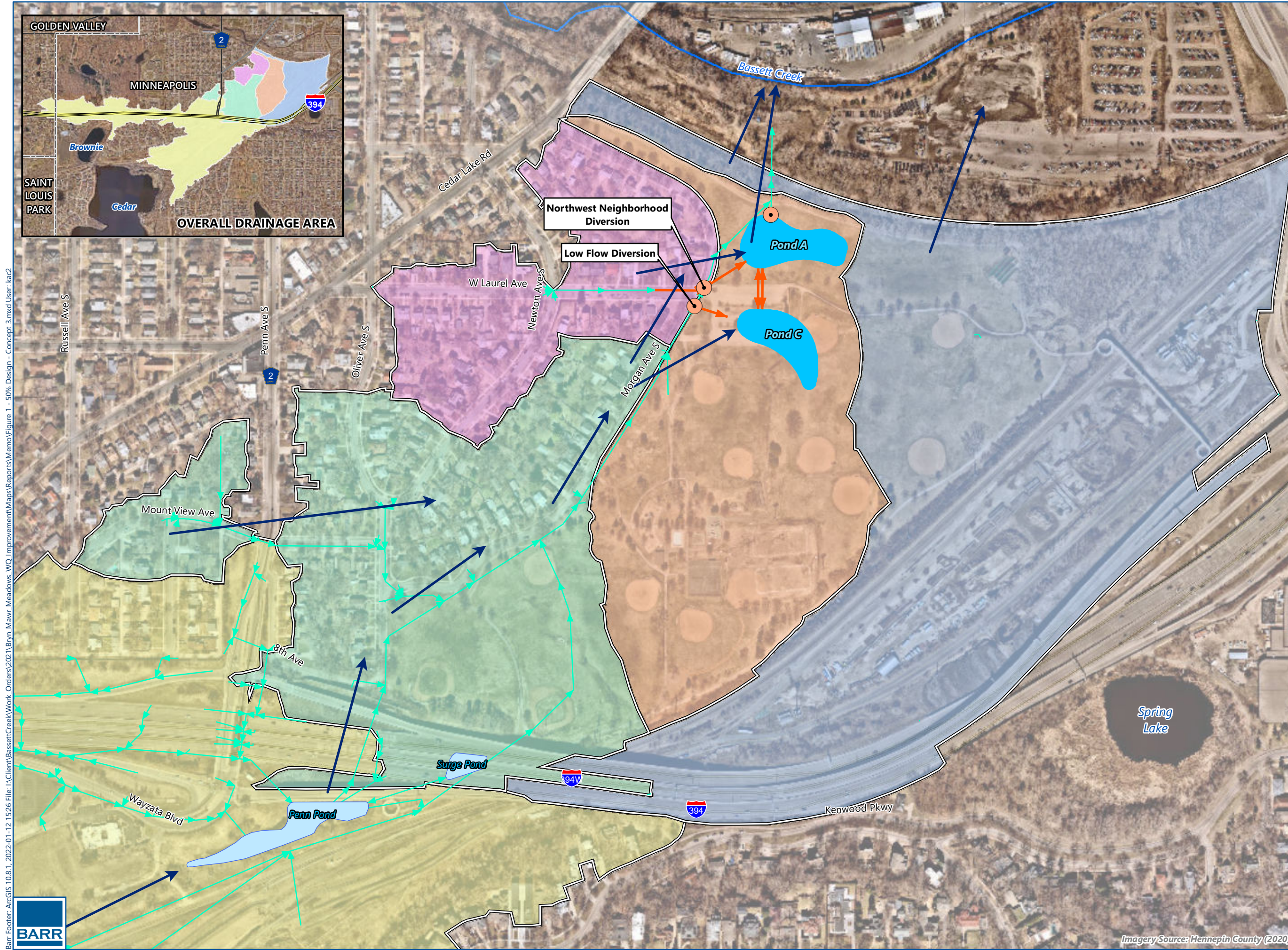
- A) Consider approval of 50% design plans
- B) Consider options for reducing the increase in estimated construction cost
- C) Authorize the Commission Engineer to continue design and bring 90% design plans to a future Commission meeting.

## **Attachments**

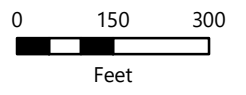
Figure 1 – Project Area Map – 50% Design

Figure 2 – Engineer's Opinion of Probable Costs – 50% Design





- New Structure
- Creeks
- General Flow Paths
- Proposed Storm Sewer
- Existing Storm Sewer
- Proposed Stormwater Pond
- Existing Stormwater Pond
- Proposed Watersheds
  - Drains to Low Flow Diversion Weir
  - Drains to Northwest Neighborhood Diversion
  - Park Area Contributing to Ponds A and C
  - Park Area Draining Away from Ponds A and C
  - Drains to Penn Pond
  - Municipal Boundary



50% DESIGN - CONCEPT 3  
 Northwest Neighborhood  
 Diversion and Penn Pond  
 Low Flow Diversion  
 Bryn Mawr Meadows Park  
 Water Quality Project BC-5


Barr Footer: ArcGIS 10.8.1, 2022-01-12 15:26 File: I:\Client\BassetCreek\Work\_Orders\2021\Bryn\_Mawr\_Meadows\_WQ\_Improvement\Maps\Reports\Memo\Figure 1 - 50% Design - Concept 3.mxd User: kac2



Imagery Source: Hennepin County (2020)

FIGURE 1



 <b>PREPARED BY: BARR ENGINEERING COMPANY</b> <b>ENGINEER'S OPINION OF PROBABLE PROJECT COST</b> PROJECT: Bryn Mawr Water Quality Improvements LOCATION: Bryn Mawr Park, Minneapolis PROJECT #: 23/27-1887.00 <b>OPINION OF COST - SUMMARY</b>	SHEET:	1	OF	1
	CREATED BY:	JMD	DATE:	1/11/2022
	CHECKED BY:	JPP	DATE:	1/11/2022
	APPROVED BY:	MAK	DATE:	1/11/2022
	ISSUED:	50% Concept Design		DATE:
ISSUED:		DATE:		
ISSUED:		DATE:		

**Engineer's Opinion of Probable Project Cost**  
**Above and Beyond Water Quality Improvement by BCWMC**  
50% Concept Design

Cat. No.	ITEM DESCRIPTION	UNIT	ESTIMATED QUANTITY	UNIT COST	ITEM COST	NOTES
A	MOBILIZATION/DEMOBILIZATION	LS	1	\$50,000.00	\$50,000.00	1,2,3,4,5,6,7
B	EROSION AND SEDIMENT CONTROL	LS	1	\$10,000.00	\$10,000.00	1,2,3,4,5,6,7
C	TRAFFIC CONTROL	LS	1	\$10,000.00	\$10,000.00	1,2,3,4,5,6,7
D	REMOVE CURB AND GUTTER	LF	297	\$8.00	\$2,376.00	1,2,3,4,5,6,7
E	SAWCUT PAVEMENT	LF	264	\$4.00	\$1,056.00	1,2,3,4,5,6,7
F	REMOVE PAVEMENT AND CLASS 5, 12" DEPTH	SY	692	\$5.00	\$3,460.00	1,2,3,4,5,6,7
G	REMOVE STORM SEWER	LF	168	\$15.00	\$2,520.00	1,2,3,4,5,6,7
H	COMMON EXCAVATION	CY	17,298	\$7.00	\$121,086.00	1,2,3,4,5,6,7
I	HAUL AND DISPOSE - LANDFILL	CY	5,189	\$40.00	\$207,576.00	1,2,3,4,5,6,7
	HAUL AND DISPOSE - LANDFILL (FROM STORM SEWER)	CY	2,133	\$40.00	\$85,320.00	1,2,3,4,5,6,7
J	HAUL AND DISPOSE - UNREGULATED FILL	CY	11,216	\$12.00	\$134,587.20	1,2,3,4,5,6,7
K	PLACE AND COMPACT FILL, ONSITE	CY	893	\$5.00	\$4,465.00	1,2,3,4,5,6,7
L	ENVIRONMENTAL RESPONSE CONTINGENCY	LS	1	\$108,000.00	\$108,000.00	1,2,3,4,5,6,8
M	RIPRAP, CLASS II	TON	100	\$60.00	\$6,000.00	1,2,3,4,5,6,8
N	12" HDPE PIPE	LF	138	\$40.00	\$5,520.00	1,2,3,4,5,6,7
O	12" HDPE FLARED-END SECTION	EA	1	\$400.00	\$400.00	1,2,3,4,5,6,7
P	15" PVC PIPE	LF	218	\$50.00	\$10,900.00	1,2,3,4,5,6,7
Q	16" DI PIPE, CLASS 52	LF	31	\$75.00	\$2,325.00	1,2,3,4,5,6,7
R	18" HDPE PIPE	LF	202	\$55.00	\$11,110.00	1,2,3,4,5,6,7
S	18" HDPE FLARED-END SECTION	EA	2	\$600.00	\$1,200.00	1,2,3,4,5,6,7
T	36" HDPE PIPE	LF	380	\$164.00	\$62,320.00	1,2,3,4,5,6,7
U	36" HDPE FLARED-END SECTION	EA	4	\$1,800.00	\$7,200.00	1,2,3,4,5,6,7
V	36" BENTONITE ANTI-SEEPAGE COLLAR	EA	4	\$3,200.00	\$12,800.00	1,2,3,4,5,6,8
W	2' X 3' REINFORCED CONCRETE CATCH BASIN	EA	6	\$2,500.00	\$15,000.00	1,2,3,4,5,6,7
X	48" REINFORCED CONCRETE MANHOLE	EA	2	\$3,500.00	\$7,000.00	1,2,3,4,5,6,7
Y	60" DIAMETER OUTLET STRUCTURE WITH WEIR, OVERFLOW GRATE ON PILES	EA	1	\$25,000.00	\$25,000.00	1,2,3,4,5,6,7
Z	CONNECT TO EXISTING STRUCTURE	EA	1	\$1,200.00	\$1,200.00	1,2,3,4,5,6,7
AA	CONCRETE COLLAR	EA	1	\$2,000.00	\$2,000.00	1,2,3,4,5,6,7
BB	SUBGRADE CORRECTION FOR UTILITIES	LS	1	\$20,000.00	\$20,000.00	1,2,3,4,5,6,7
CC	CONCRETE CURB AND GUTTER	LF	297	\$20.00	\$5,940.00	1,2,3,4,5,6,7
DD	CLASS 5	CY	128	\$50.00	\$6,400.00	
EE	BITUMINOUS PAVEMENT, 4" DEPTH	SY	692	\$50.00	\$34,600.00	1,2,3,4,5,6,7
FF	CONCRETE PAVEMENT, 5" DEPTH	SY	73	\$70.00	\$5,110.00	1,2,3,4,5,6,7
GG	TEMPORARY SEEDING	AC	2.8	\$2,500.00	\$7,000.00	1,2,3,4,5,6,7
HH	PERMENANT SEEDING	AC	2.8	\$4,000.00	\$11,200.00	1,2,3,4,5,6,7
II	HYDROMULCH OR STRAW	AC	2.8	\$3,500.00	\$9,800.00	1,2,3,4,5,6,7
JJ	PLUGS	EA	5,000	\$4.00	\$20,000.00	1,2,3,4,5,6,7
KK	SHRUBS, #2 CONTAINER	EA	50	\$50.00	\$2,500.00	1,2,3,4,5,6,7
LL	ESTABLISHMENT MAINTENANCE (3 YEARS)	YEAR	3	\$3,000.00	\$9,000.00	1,2,3,4,5,6,7
	CONSTRUCTION SUBTOTAL				\$1,042,000.00	1,2,3,4,5,6,7,8
	CONSTRUCTION CONTINGENCY (15%)				\$156,000.00	1,5,8
	ESTIMATED TOTAL CONSTRUCTION COST				\$1,198,000.00	1,2,3,4,5,7,8
	<b>ESTIMATED ACCURACY RANGE</b>		<b>-15%</b>		<b>\$1,019,000.00</b>	5,7,8
			<b>20%</b>		<b>\$1,438,000.00</b>	5,7,8

Notes

<sup>1</sup> Limited Design Work Completed (50%).

<sup>2</sup> Quantities Based on Design Work Completed.

<sup>3</sup> Unit Prices Based on Information Available at This Time.

<sup>4</sup> Limited Field Investigation Completed. Assumed 30% of excavated materials need to be hauled to landfill.

<sup>5</sup> This Class 2 (30-75% design completion per ASTM E 2516-06) cost estimate is based on 50%-level designs, alignments, quantities and unit prices. Costs will change with further design. Time value-of-money escalation costs are not included. A construction schedule is not available at this time. Contingency is an allowance for the net sum of costs that will be in the Final Total Project Cost at the time of the completion of design, but are not included at this level of project definition. The estimated accuracy range for the Total Project Cost as the project is defined is -15% to +20%. The accuracy range is based on professional judgement considering the level of design completed, the complexity of the project and the uncertainties in the project as scoped. The contingency and the accuracy range are not intended to include costs for future scope changes that are not part of the project as currently scoped or costs for risk contingency. Operation and Maintenance costs are not included.

<sup>6</sup> No costs included for soil correction or overexcavation.

<sup>7</sup> Estimate costs are to construct. The estimated costs do not include maintenance, monitoring or additional tasks following construction.

<sup>8</sup> Estimate costs are reported to nearest thousand dollars.



Item 5B.  
BCWMC 1-20-22  
Plan set online



7800 Golden Valley Road  
Golden Valley, MN 55427

January 12, 2022

Ms. Laura Jester  
BCWMC Administrator  
Keystone Waters, LLC  
16145 Hillcrest Lane  
Eden Prairie, MN 55346

Subject: DeCola Ponds SEA School-Wildwood Park Flood Mitigation Project  
City Project 20-27; BCWMC CIP Project BC-2,3,8,10  
50% Design Plans

Dear Laura:

Enclosed please find Barr Engineering's correspondence dated January 12, 2022 along with the 50% design plans for the SEA School-Wildwood Park Flood Mitigation Project. These items are being submitted for consideration at the BCWMC meeting scheduled for January 20, 2022.

Please call me at 763-593-8034 if you have any questions regarding the enclosures.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff Oliver".

Jeff Oliver, P.E.  
City Engineer

Enclosures

C: Eric Eckman, Environmental Resources Supervisor

1/12/2022

Mr. Jeff Oliver, P.E.  
City Engineer  
City of Golden Valley  
7800 Golden Valley Road  
Golden Valley, MN 55427

**Re: 50% Design Plans - SEA School-Wildwood Park Flood Mitigation Project Golden Valley  
Project 20-27**

Dear Mr. Oliver:

Attached please find the 50% design plans for the SEA School-Wildwood Park Flood Mitigation project. The project (BCWMC CIP project BC-10) will be funded by several sources including the Minnesota Department of Natural Resources Flood Damage Reduction Grant, the BCWMC's ad valorem levy (via Hennepin County) for CIP projects, and funding from the City of Golden Valley. Per the cooperative agreement between the City of Golden Valley and the BCWMC, the city is to construct the project, and the plans and specifications are subject to approval by the Commission. Also, per the agreement, the 50% design plans for this project must be submitted to the BCWMC for review and approval. If the attached 50% plans meet the city's approval, we recommend submitting them, along with this letter, to the BCWMC for inclusion in the meeting packet for their January 20, 2022 meeting. Barr staff will present the 50% plans to the BCWMC at the meeting and answer any questions from the BCWMC.

The remainder of this letter presents information about the feasibility study, the design features of the project, and approval/permitting needs.

### **Feasibility Study Summary and Selected Project**

The BCWMC's *SEA School-Wildwood Park Flood Mitigation Project Feasibility Study* (Barr Engineering, June 2021) examined the feasibility of three different concepts for the modification to the DeCola Pond D outlet, diversion of runoff away from DeCola Pond E, expansion of flood mitigation volume, increasing water quality treatment, and habitat improvement in the area around Wildwood Park owned by the City of Golden Valley and the northern drive area at the SEA School property, owned by Robbinsdale Area Schools. This project will significantly reduce flood elevations on DeCola Pond D, slightly reduce flood elevations on DeCola Ponds E & F, and increase pollutant removals from watershed runoff, which ultimately drains to Bassett Creek.

The three concepts developed during feasibility included:

- 1) Concept 1 – Underground Storage with a Stream
- 2) Concept 2 – Open Water
- 3) Concept 3 – Wet Meadow

The feasibility report recommended the implementation of Concept 3, which includes installing a vegetated iron-enhanced sand filter to provide additional water quality treatment of runoff diverted to the project area, and the creation of two wet meadow areas and a higher prairie area for the storage of 8.5 acre-ft of flood waters. The feasibility report estimated that project implementation (Concept 3) would reduce the 100-year flooding on DeCola Pond D by 2.8 feet, eliminating the risk of flooding at all homes on this pond during the 100-year event. Although the project only slightly reduces the 100-year peak flood elevation on DeCola Ponds E and F, it has a more significant impact during smaller, more frequent events like the 10-year event. The project further reduces the annual total phosphorus load to Bassett Creek by 4.1 pounds per year. Additionally, the concept would restore 2.3 acres of wetland and prairie habitat in the SEA School/Wildwood Park area along with 0.7 acres of restored turf grass.

At their June 2021 meeting, the Commission approved the final feasibility study for this project, supporting implementation of Concept 3, and the Commission ordered the project at their September 2021 meeting. Design began in early October 2021.

**Design features – 50% plans**

The project design is underway. In addition to comments from the City of Golden Valley staff, SEA school facilities staff, and the public during the feasibility study, the 50% design incorporated recent comments and direction from City of Golden Valley based on the overall design and SEA School facilities staff as it relates to the drive realignment and maintenance needs. The 50% design has generally preserved all of the components identified as part of Concept 3, which are being refined as part of the final design process. The 50% design plans are also being used to start the permitting process (discussed in the following section).

The table below compares the flood mitigation volume developed, the increase in total phosphorus removal, restored wetland and prairie areas by the project, as presented in the feasibility study and the 50% design plans.

	<b>Flood Mitigation Volume Developed</b>	<b>Additional Total Phosphorus Removal</b>	<b>Restored Wetland and Prairie Area</b>	<b>Restored Turf Area</b>
<b>Feasibility Study (June 2021)</b>	8.5 acre-ft	4.1 lb/yr	2.3 acres	0.7 acres
<b>50% Design Plans</b>	8.1 acre-ft	4.0 lb/yr	2.2 acres	1.1 acres

The current 50% design results in slightly less flood mitigation volume (0.4 acre-ft) due to some design modifications based on further conversations with SEA School facilities and Golden Valley staff. The discussion below of the main components of the 50% design notes these changes. However, we identified opportunities to regain some of that flood storage volume with minor grading changes that will be addressed as we move toward 90% design.

Similar to the feasibility study, the main components of the 50% design include:

1. Upsizing the outlet from DeCola Pond D to a 48" RCP with design and restoration in coordination with impacted property owners and City maintenance staff.
2. Diverting runoff from Pennsylvania Ave and Duluth Street toward the water quality treatment and flood storage in the SEA School-Wildwood Park properties, including pretreatment of flows prior to the iron-enhanced sand filtration basin.
3. Providing an iron-enhanced sand filtration basin, considering a design that integrates vegetation/screening between the filtration trenches, for the removal of particulate and soluble phosphorus.
4. Developing approximately 8.1 acre-feet of flood storage, with an overflow berm and extended detention outlet in the northeast corner of the project area, discharging to the storm sewer system at the corner of Duluth Street and Kelly Drive.
5. Incorporating a low wet meadow habitat area and exploring opportunities to promote better drainage toward the proposed outlet including grading and potentially incorporating an intermittent stream channel to promote drainage. The 50% design incorporates a slope to the bottom of the basins, rather than flat bottoms, that result in some loss of flood mitigation storage. As we proceed toward 90% design, we will evaluate and adjust the bottom slope to regain storage volume.
6. Replacing disturbed trails with an accessible looped walking trail around the site that is above the approximate 10-year flood event elevation or higher, to make the trail more accessible, reduce maintenance, and provide maintenance access to the stormwater features. We shifted these trails to align with the back of curb along Duluth Street and Kelly Drive, based on conversation with city staff to improve safety by reducing ice dam potential and chloride treatment while maximizing flood storage volume. Additionally, the trail alignments and design incorporate an east-west trail connection from Kelly Drive to the park interior (i.e., the playground), includes access and space needs around the pickleball courts (based on input from Golden Valley parks staff), and considers future safe routes to school alignments along Kelly Drive (based on direction from Golden Valley engineering staff). The cost of these park features will be paid for by non-BCWMC project funds.
7. Restoring a variety of habitat types and replanting trees to mitigate significant tree loss and provide shade in specific locations. The 50% design does not include a tree planting plan, but we have begun conversations with city staff about tree loss mitigation, replacement and locations, with the goal to reuse/relocate as many trees as possible and replacing significant tree removals at a ratio of approximately 1:1.
8. Realigning the northern SEA School Driveway with Maryland Avenue. Based on comments from SEA School facilities staff the drive alignment now includes a larger turning radius for bus service and an adjacent walk/trail in the bus loading area, which impacted grading and slightly reduced the flood mitigation volume available in the prairie area. We will continue to coordinate design with SEA School staff and evaluate specific items as we move to 90% design. We will also continue to work with City staff and adjacent residents to mitigate any impacts created by the



driveway realignment. Additionally, we will investigate phasing construction in this area to minimize impacts to SEA School access and operations.

9. Preserving key park features, including the pickleball courts, the playground area, the wooded knoll, the sledding hill, and open turf areas for various recreation activities and gathering (e.g., the northeast corner of the park).

The drawings are at a 50% design stage, which means there are several details yet to be worked out before the design is final and ready for bid. Additionally, the 50% plans will be provided to the residents around the DeCola Pond D outlet and to the SEA School facilities staff for review and comment to further inform the 90% design development. Any comments received from the BCWMC will also be addressed in the 90% design drawings.

### **Approvals/permit requirements**

In addition to BCWMC approval of the plans, other permits/approvals will be required for this project. Other permitting and reviews include the following:

- MPCA Construction Stormwater General Permit
- Compliance with the Minnesota Wetland Conservation Act (WCA)
- City of Golden Valley Right-of-Way Permit
- City of Golden Valley Stormwater Permit

We anticipate that the permitting process could take 2-3 months. As a result, we will submit the permit applications in mid-February to begin the permitting review process, with the permitting process anticipated to be complete by May 2022.

### **Recommendations**

We recommend that the city request 1) BCWMC approval of the 50% drawings, and 2) BCWMC authorization for the city to proceed with design, permitting and contract documents and bring 90% design plans to a future Commission meeting.

If you have any questions, please contact me at 952-832-2750 or [jkoehler@barr.com](mailto:jkoehler@barr.com).

Sincerely,

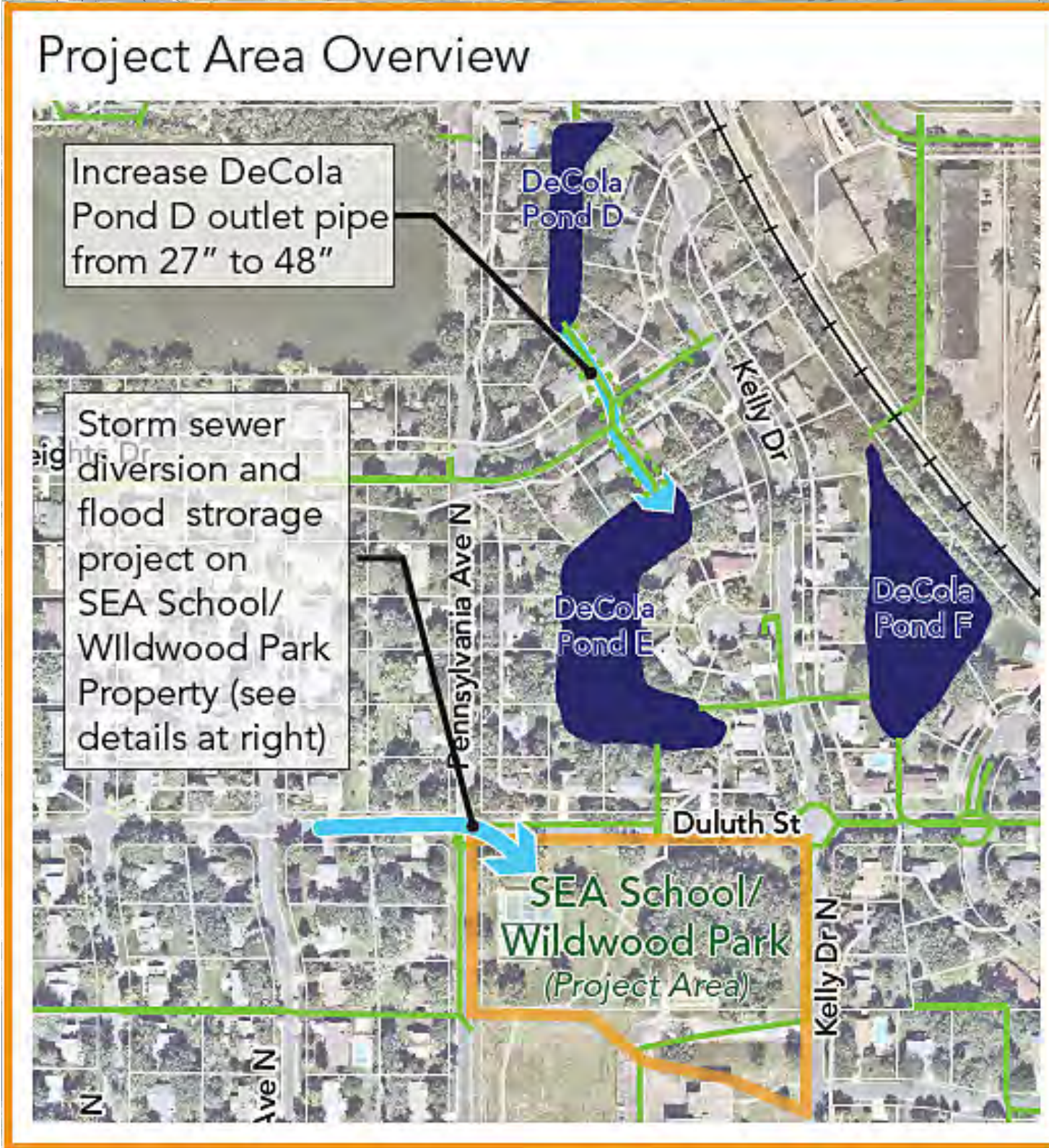
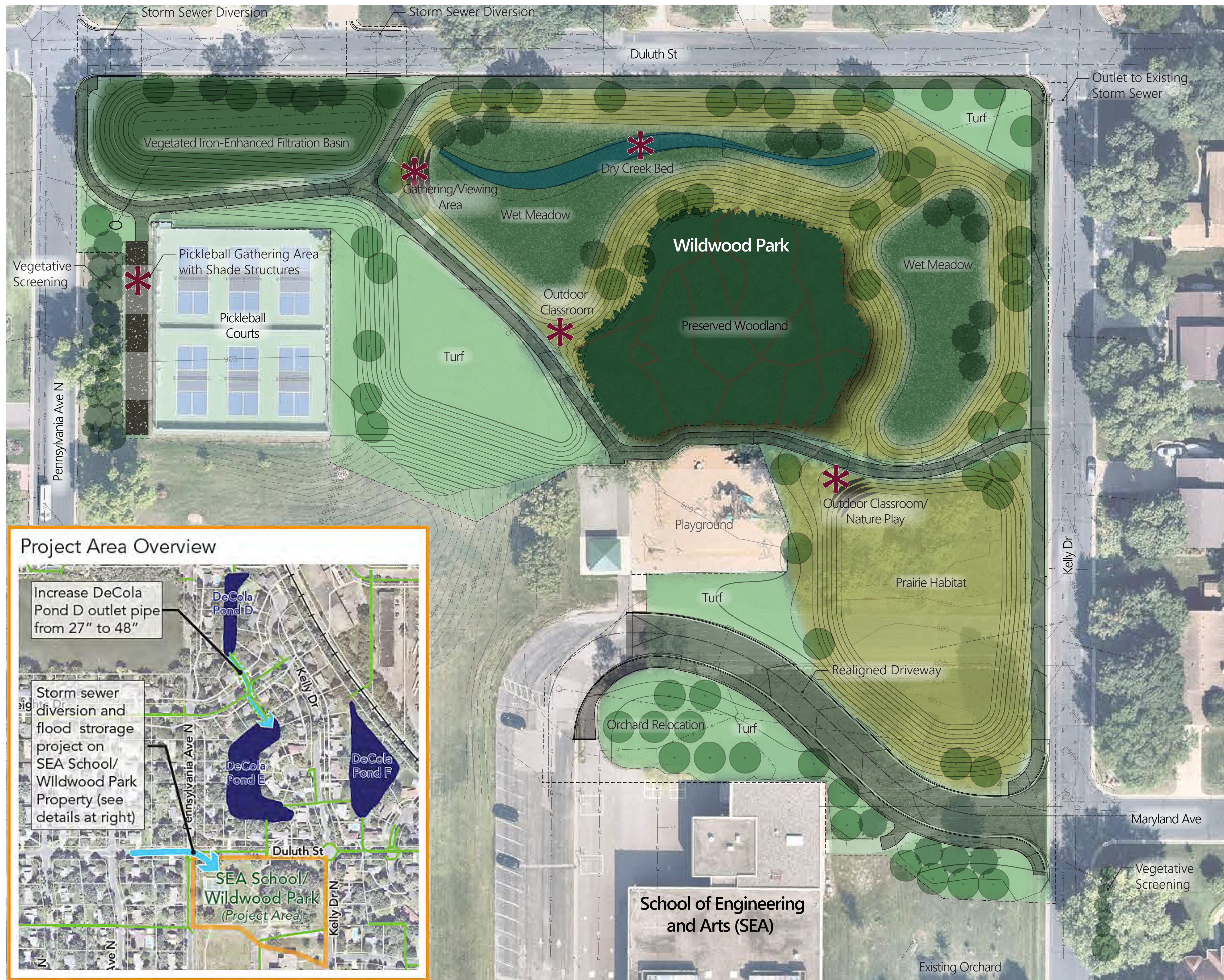


Jennifer Koehler, P.E.  
Senior Water Resources Engineer



# 50% design

Total project cost (-10%/+20%) = \$3.1 million (estimated construction cost = \$2.6 million)



## SEA School-Wildwood Park Flood Mitigation Project 50% Design Plan

- LEGEND**
- Preserved Woodland
  - Existing Paths
  - Proposed Site Feature
  - Proposed Paved Trails
  - Proposed Concrete Pad
- Proposed Vegetation**
- Turf
  - Filtration Basin
  - Wet Meadow
  - Prairie Habitat
  - Tree Planting
  - Screening Planting

## Design summary

- Additional flood storage created:**  
8.1 acre-feet
- Improved water quality:**  
Additional 4.0 lbs/yr phosphorus removed
- Restored wetland and prairie habitat:**  
2.2 acres total
- Restored turf area:**  
1.1 acres total
- Significant tree removal:**  
50 trees total (replacement goal 1:1)
- Reduction of flood level on ponds:**

DeCola	10-Yr	100-Yr
D	- 0.4'	- 2.9'
E,F	- 0.7'	- 0.1'
- At-risk flooded structures (existing/proposed):**

DeCola	10-Yr	100-Yr
D	0/0	10/0
E,F	9/7	19/19





## Memorandum

**To:** Commissioners, Bassett Creek Watershed Management Commission  
**From:** Karen Chandler, Greg Williams (Barr), and Laura Jester, BCWMC Administrator  
**Subject:** 2025 Watershed Management Plan Draft Scope  
**Date:** January 13, 2022

At their November 17 meeting, the Commission directed staff to develop a draft scope and budget to develop the 2025 Watershed Management Plan (Plan). The Commission Engineer, in close coordination with the Administrator, prepared the following draft scope of services and associated budget to assist the Commission in preparing its 2025 Plan. The scope includes an estimate of hours and costs for the Commission Engineer and the Administrator. The final budget estimate ranges from \$123,000 – \$143,000 depending on the amount and depth desired by the Commission to perform activities in Phase 2 below, such as research, analysis and policy development for more challenging issues.

### **Requested BCWMC Commissioner action:**

1. Review the draft scope and budget and discuss possible revisions.
2. Consider approval of the scope and budget, as revised, or direct review of the revised scope and budget at a future Commission meeting.
3. Consider establishing and setting the membership of a Plan Steering Committee

### **Plan Steering Committee (PSC)**

Watershed Management Plan development, particularly goal setting, policy development, and prioritization of implementation actions, should be led by the Commission, but will require a considerable time commitment above and beyond regular monthly Commission meetings. A Plan Steering Committee should be established and is likely to meet approximately 11 – 17 times over the next three years. We anticipate a mixture of in-person and online meetings as there are advantages to both. A Plan Steering Committee could include members such as:

- Commissioners and alternates (or former commissioners/alternates)
- Commission staff
- City staff
- Staff from partner groups: Three Rivers Park District, Minneapolis Park and Rec Board, Hennepin County
- Lake association leaders or CAMP volunteers
- Other residents and/or representatives of underserved communities

The Commission should consider establishing the Plan Steering Committee, and discuss membership and meeting timing and format.

In addition to the PSC, the Plan's development should include input from a more technical group (Planning TAC) that would meet 4 – 5 times over the next three years and which should include staff from the following groups (see Section 1.8):

- BCWMC Technical Advisory Committee (city staff)
- MN Board of Water and Soil Resources
- MN Pollution Control Agency
- MN Department of Natural Resources
- Metropolitan Council
- Hennepin County
- Three Rivers Park District
- Minneapolis Park and Rec Board

## **Project Scope**

The 2025 Plan scope of work is subdivided into the following four phases:

1. Initial stakeholder engagement
2. Pre-plan work to address challenging issues
3. Development of the draft Plan document
4. Plan review and approval

Figure 1 presents a draft schedule illustrating the above project phases. Phases 1 and 2 are approximately concurrent and pre-requisite to the plan development in phase 3. Some elements of stakeholder engagement, however, will be continued through phases 3 and 4 (e.g., meetings of the Planning Technical Advisory Committee, see Section 1.8).

### **Phase 1: Initial stakeholder engagement**

Phase 1 Timeline: February 2022 – May 2024

Phase 1 Budget: \$38,030

Phase 1 Meetings: 1 – 2 PSC meetings

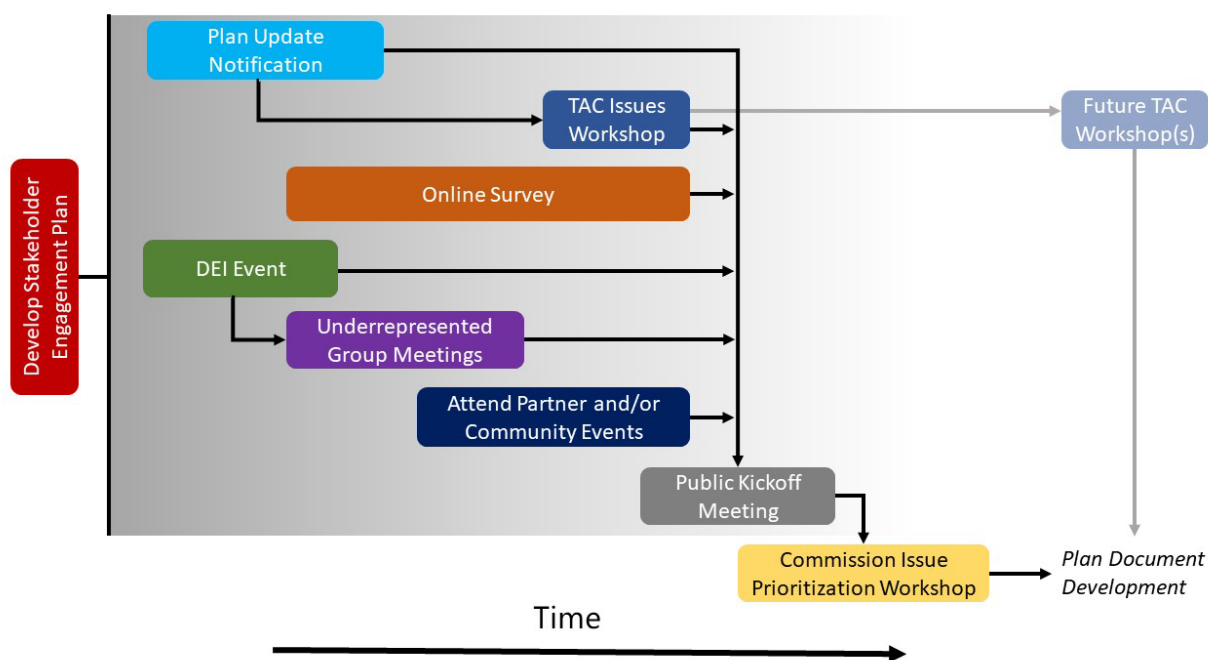
In developing its 2025 Plan, the BCWMC has an opportunity to engage and receive input from a broad group of stakeholders within the watershed. Meaningful input from communities, residents, and partners is essential to developing a plan focused on priority issues and executed through collaborative action. At the November 17, 2021 BCWMC meeting, the Commission considered varying levels of stakeholder engagement and selected a "moderate" level of engagement. Commission staff scoped the following proposed activities with that decision in mind. Note that several of the stakeholder engagement activities described herein are required per Minnesota Rules 8410. Proposed activities include:

- Developing a stakeholder engagement plan for BWSR review and approval\*
- Notifying plan review authorities of the plan update and summarizing responses\*
- Hosting an "Equity in Watershed Management" workshop

- Hosting an on-line survey to gather input from residents and members of various stakeholder groups
- Meeting with members of underrepresented community groups
- Engaging the public at partner/community events (as health restrictions allow)
- Hosting a public kickoff/initial planning meeting\*
- Establishing and meeting with a Technical Advisory Committee (TAC) to identify issues\*
- Summarizing stakeholder input and hosting a commissioner issue prioritization workshop

\* = activity required per Minnesota Rules 8410

Figure 1 presents a flowchart of proposed initial stakeholder engagement activities.



**Figure 1 Proposed sequence of initial stakeholder engagement activities**

### 1.1 Developing a stakeholder engagement plan for BWSR review and approval

BWSR requests that watershed management organizations submit a stakeholder engagement plan for BWSR review and comment. Commission staff will develop a stakeholder engagement plan based on the tasks described in this scope, as revised based on commissioner input. Barr will provide the stakeholder engagement plan to the BWSR Board Conservationist. After BWSR review, Commission staff will present and discuss any proposed revisions to the stakeholder engagement plan at a PSC or Commission meeting and revise the stakeholder engagement plan, as needed. We will submit the revised stakeholder engagement plan to BWSR for (informal) approval.

#### Deliverables:

- Draft stakeholder engagement plan
- Final stakeholder engagement plan (as revised)

## 1.2 Notifying Plan review authorities and summarizing responses

Consistent with MN Rules 8410.0045 Subp. 3 and Subp. 4, the Administrator will electronically send a notification of the 2025 Plan update to plan review agencies and the plan review authorities on behalf of the BCWMC. The notification will request that recipients provide information about their respective priority issues, goals, and data relevant to the 2025 Plan within 60 days. The notification will also ask recipients to identify potential TAC member(s) from their organization.

The Administrator will summarize the responses in a memorandum to be presented to the Commission. Commission staff will consider the information provided in the responses to the notification during all subsequent phases of plan development.

### Deliverables:

- Notification of plan update electronic communication
- Memorandum summarizing responses to the notification letter

### Plan Review Agencies:

- Board of Water and Soil Resources
- Metropolitan Council
- Minnesota Department of Natural Resources
- Minnesota Pollution Control Agency
- Minnesota Department of Health
- Minnesota Department of Agriculture

### Plan Review Authorities additionally include:

- Hennepin County
- Cities of Crystal, Golden Valley, Medicine Lake, Minneapolis, Minnetonka, New Hope, Plymouth, Robbinsdale, and St. Louis Park

## 1.3 Hosting a “Equity in Watershed Management” workshop

The Bassett Creek watershed is home to many residents and other stakeholders who belong to communities historically underrepresented in water and natural resource planning. In Fall 2021, the Commission expressed interest in hosting an event to explore issues of diversity, equity, and inclusion (DEI) as it relates to watershed management and the role of the BCWMC. The Administrator will engage local DEI experts and city, county, and/or other watershed management organization staff to develop and present programming designed to answer:

- What is DEI, environmental justice, and their history in the watershed?
- Why is DEI important in water and natural resource planning?
- How have others addressed DEI in their work?
- How can BCWMC provide for equity in its policies, programs, and projects?

### Deliverables:

- Equity in Watershed Management workshop
- Workshop outcomes incorporated into policies, programs, and/or projects in 2025 Plan

#### **1.4 Hosting an on-line survey**

The Commission Engineer will work with the Administrator and PSC to develop and host an online survey intended to reach a public audience of residents, property owners, business owners, and other individuals who live, work, or recreate in the watershed. The survey will be brief (e.g., five questions) to encourage participation and allow some or all of the survey questions to be asked during potential future face-to-face interactions with stakeholders, if possible (see Section 1.6). The questions will be designed to understand how stakeholders value and interact with the water and natural resources within the Bassett Creek watershed. Draft survey questions will be provided to the Commission for review and comment, prior to publication.

The survey will be linked from the BCWMC website, partner websites, and advertised through social media and targeted e-mailing. Paper copies of the survey will also be available at events or upon request. Staff will summarize the results of the survey in a memorandum prior to the Commission issue prioritization workshop (see Section 1.9). Staff recommends including the summary memorandum as an appendix to the Plan.

##### **Deliverables:**

- Draft survey questions for Commission review
- On-line survey
- Memorandum summarizing survey responses

#### **1.5 Meetings with underrepresented community groups**

The Administrator will work with the Commission and PSC to identify communities within the watershed for targeted engagement to better understand their community values and concerns as well as opportunities for collaboration. Once a list of potential organizations or groups has been established, the Administrator will contact leaders within those organizations or communities to set up interviews performed by the Administrator and/or commissioners. The meetings are intended to be informal and conversational. These conversations will help identify areas where the interests of both parties may intersect and the ways we may be able to work together in the future. Information gathered from these meetings will be considered in subsequent Plan development tasks.

##### **Deliverables:**

- Meetings with up to 10 groups
- Meeting notes

#### **1.6 Engaging the public at partner/community events (as health restrictions allow)**

Events focused on water resource management typically draw few attendees, and the attendees often have very specific concerns. Conversely, community events within the watershed present ready-made

opportunities for BCWMC representatives (commissioners, PSC members, member city staff, Administrator, and/or Barr staff) to engage with a broader cross-section of potential stakeholders.

To leverage these opportunities, the Administrator will contact member city staff and commissioners to identify up to 10 community events. The Administrator will seek volunteers from commissioners, PSC members, and member city staff to attend one or more events. The Commission Engineer will prepare a large board and one-page handouts including a watershed map, a brief introduction to the BCWMC, and the 2025 Plan development process. BCWMC representatives will answer questions and ask interested individuals to complete the survey (see Section 1.4) online or on paper. BCWMC representatives will provide a summary of the community event at a Commission meeting.

**Deliverables:**

- Board and 1-page handouts
- Completed surveys
- Summaries of events

### **1.7 Hosting a public kickoff/initial planning meeting**

Per Minnesota Rules 8410.0045 Subp.5 the BCWMC must publicly notice and host an “initial planning meeting presided over by the organization’s governing body to receive, review, and discuss input” on the 2025 Plan. The meeting must occur after receipt of responses to the Plan update notification (or the required time has passed, see Section 1.2).

Staff recommends hosting the initial planning meeting after full or substantial completion of some of the other initial stakeholder tasks to provide input for this meeting (e.g., online survey). The Administrator will work with the Commission to identify a meeting date, secure a meeting location, publicly notice the meeting, and “market” the meeting to residents and stakeholder groups. The Commission representatives (including Engineer, Administrator, and/or commissioners) will prepare and present information about the BCWMC and the 2025 Plan. Agenda and format for the initial planning meeting would be developed with the overall stakeholder engagement plan (see Section 1.1). Staff recommends facilitated, small-group discussions following the initial presentation to identify and discuss issues important to meeting attendees. The Administrator will summarize the results of the initial planning meeting in a memorandum to the Commission.

**Deliverables:**

- Public notice/advertisement for the initial planning meeting
- Initial planning meeting
- Summary memorandum



## **1.8 Establishing and meeting with a Planning Technical Advisory Committee (TAC)**

City staff from several BCWMC cities regularly attend Commission meetings and are active partners in watershed management. In addition to this participation, the Administrator will convene a Planning Technical Advisory Committee (Planning TAC) comprised of member city staff, plan review authority staff from state agencies, Hennepin County, and Met Council, and other technical partners identified by the Commission. The Administrator will coordinate in-person or virtual meetings of the Planning TAC to review and provide input on draft Plan content throughout the project. The Commission Engineer and the Administrator will cooperate to present draft Plan content at these meetings. The Administrator will summarize Planning TAC meeting discussions in minutes provided to the PSC and Commission. Likely meeting subjects include, but are not limited to:

- Priority issues and resources
- Measurable goals
- BCWMC policies and performance standards
- Implementation actions, schedule and budget

This scope assumes four in-person Planning TAC meetings over the next three years. Additional meetings of the Planning TAC may be necessary during Plan development.

### **Deliverables:**

- Up to four Planning TAC meetings
- Minutes from Planning TAC meetings

## **1.9 Summarizing stakeholder input and hosting a commissioner issue prioritization workshop**

MN Rules 8410 require that watershed management organization plans identify priority issues and resources to be addressed during the life of the plan. The Commission Engineer and the Administrator will present results of the initial stakeholder engagement activities, existing resource conditions and trends, past CIP projects, and any initial inventory work to the PSC. The PSC will develop recommendations on priority issues for use at a commissioner workshop.

The Commission Engineer and the Administrator will present the summary of initial stakeholder engagement and PSC recommendations at an issue prioritization workshop attended by the commissioners. At the workshop, the Administrator and Commission Engineer will facilitate discussion with the intent of establishing consensus regarding priority issues and resources to be addressed in the 2025 Plan. The Administrator will record the results of the workshop in a memorandum.

### **Deliverables**

- Memorandum summarizing results of initial stakeholder engagement activities and PSC recommendations
- Facilitated commissioner workshop
- Memorandum summarizing issue and resource prioritization

## **Phase 2: Pre-Plan work to address challenging issues**

Development of the 2025 Plan is an opportunity for the Commission to perform a comprehensive examination of the BCWMC policies and programs. The Administrator and Commission Engineer identified some topics that should be addressed during 2025 Plan development that may require more effort than others. We recommend beginning to address these topics through targeted data review, research on how others are addressing these issues, and discussions with commissioners, city staff, and other stakeholders early in the planning process. Because there is a wide range in the depth of analyses and amount of work that could be incorporated into this phase, the budget is presented as a range.

Phase 2 Timeline; March 2022 – March 2023

Phase 2 Budget: \$7,090 - \$27,090

Phase 2 Meetings: 2 – 3 PSC meetings; 1 Planning TAC meeting

### **2.1 Preliminary gaps analysis**

The Commission Engineer and the Administrator will review the existing plan relative to current watershed management practice, emerging issues, regulatory climate (e.g., current MPCA general permits), and data to identify potential gaps in needs or implementation. We will summarize this analysis in a brief memorandum provided to the PSC and Commission and present the information as part of scoping additional technical work (see Section 2.2).

#### **Deliverables**

- Memorandum summarizing preliminary gaps analysis

### **2.2 Identifying topics and scope of pre-Plan work to address challenges**

Following the preliminary gaps analysis, the Administrator will facilitate discussion with the PSC and/or the Commission and TAC to identify potentially more challenging or complex topics that may need additional review ahead of Phase 3. Possible topic areas already identified include:

- Chloride regulations
- Incorporation of DEI principles
- Performance standards for linear projects
- Potential implementation of the Bassett Creek Valley plan to create more flood storage in the lower Bassett Creek Valley
- Process for identifying projects or implementing the Capital Improvement Program (CIP)
- Education program

After finalizing the list of challenging issues to be addressed in this phase, the Administrator and Commission Engineer will develop a proposed scope of work to address these issues. The scope may include review of existing data and practices, review of other organization practices and/or performance

standards, and discussions with commissioners, city staff, and/or other partners. The Administrator will present the draft scope for commissioner review, comment, and approval.

### **Deliverables**

- Discussion with the Commission to identify challenging issues
- Draft scope of work for Commission approval

## **2.3 Performing pre-Plan work to address challenging issues**

The Commission Engineer and the Administrator will execute the proposed pre-Plan work scope to address challenging issues developed as described in Section 2.2. The tasks will vary according to the final scope approved by the Commission. Note that the estimated hours and cost are unknown but contemplated at costing up to \$20,000. More detailed estimates will be developed as this task is scoped in greater detail.

### **Deliverables**

- TBD based on final approved scope

## **Phase 3: Development of the draft Plan document**

During phase 3, the Commission Engineer and the Administrator will draft Plan sections, incorporating input received during Phase 1 and analysis performed in Phase 2. Phase 3 will conclude with the development of a complete draft Plan that is ready to submit for formal review (Phase 4).

Phase 3 Timeline; January 2023 – December 2024

Phase 3 Budget: \$56,910

Phase 3 Meetings: 6 - 10 PSC meetings; 2 - 3 Planning TAC meetings

## **3.1 Updating the Physical Environment Inventory**

The Commission Engineer and the Administrator will update the Physical Environment Inventory section of the Plan (Section 2 of the 2015 Plan). In this section, we will summarize resource data and provide the knowledge base upon which the issues, goals, policies, and implementation activities are built. This section serves as educational reference for non-technical audiences and as a technical reference for City and partner staff.

Topics addressed in this section include, but are not limited to: topography and drainage, land use, soils, geology, groundwater, surface waters, water quality, flooding, wetlands, natural areas, population and demographics, and others deemed significant by the Commission.

The Commission Engineer and the Administrator will update the text, tables, and figures (maps) to present the most current data. We will reference existing data summaries and sources (e.g., annual monitoring

reports, data hosted at the BCWMC website) to strike an appropriate balance of detail and brevity while seeking to avoid a Plan that is soon outdated. We will cooperate with city and partner staff, as needed, to obtain local datasets (e.g., redevelopment areas) included in the inventory. A draft of the inventory will be provided to the Commission and city staff for review and comment. The Administrator will receive commissioner comments at a PSC or Commission meeting and city staff comment through electronic communications.

**Deliverables:**

- Draft text, tables, and maps
- Revised and finalized inventory

### **3.2 Defining issues and measurable goals**

Based on information gained in phase 1 culminating in the Commission issue identification and prioritization workshop (see Section 1.9), the Commission Engineer and the Administrator will draft text detailing the priority issues to be addressed by the Plan. The Commission Engineer and the Administrator will work with the PSC, Commission and Planning TAC to draft and revise measurable goals to address the priority issues. We will correlate goals to specific issues to better allow for measurement of Plan progress.

With the 2015 revision to MN Rules 8410, BWSR increased the emphasis on quantitative, measurable goals. As written, many of the existing BCWMC goals (see Section 4 of the 2015 Plan) are not explicitly measurable and will require updating. We understand that the objective measurability of goals may vary according to the particular issue (e.g., water quality goals vs. education goals). Establishing realistic goals is an iterative process completed in coordination with developing a targeted implementation schedule – that is, understanding the actions the BCWMC can perform during the life of the Plan will inform how much progress towards goals may be expected.

**Deliverables:**

- Draft issue statements
- Draft measurable goals correlated to issues
- Revised and finalized measurable goals

### **3.3 Revising BCWMC policies and performance standards**

The Commission Engineer and the Administrator will review the existing BCWMC policies, performance standards, and *Requirements for Improvements and Development Proposals* document relative to priority issues, member city and partner policies, and the current regulatory environment. We will incorporate the results of phase 1 and phase 2 as related to policies and performance standards (e.g., DEI issues, chloride regulation, linear project performance standards), as appropriate.

The Commission Engineer and the Administrator will draft proposed revisions to BCWMC policies to promote achieving the BCWMC goals (see Section 3.2) and present the proposed revisions relative to

existing policies. We will present the draft policies to the PSC and TAC and/or Planning TAC to receive feedback that will be used to develop draft policies and performance standards to the Commission for review and comment at workshops or regular Commission meetings.

**Deliverables:**

- Draft policies and performance standards
- Revised and finalized policies and performance standards

### **3.4 Creating a targeted implementation program**

The Commission Engineer and the Administrator will update Plan text describing the BCWMC programs and operations (Section 5 of the 2015 Plan). We will create a draft implementation schedule (i.e., table) laying out projects, programs, and activities to be completed during the 10-year period. The implementation program will include proposed years of implementation, planning level cost estimates, and potential partners. The Administrator will coordinate meetings of the PSC and TAC and/or Planning TAC to review draft implementation actions and identify member city and partner projects where the BCWMC may be a partner. We will incorporate feedback and present the draft implementation schedule to the Commission for review and comment.

BWSR requires that the implementation program be targeted and prioritized. We will target activities according to the priority issues and resources identified during Plan development. We will work with the Commission to develop and apply a framework to prioritize implementation activities with consideration for priority issues, funding, and other factors. This may be informed by work done in phase 2 related to CIP implementation (see Section 1.2).

BWSR also requires that Plan implementation include a process for evaluating BCWMC progress towards the measurable goals established during Plan development (see Section 3.2). We will correlate implementation activities to goals to facilitate tracking and reporting of Plan progress.

**Deliverables:**

- Draft implementation program (including table with schedule and cost estimates and process for measuring progress)
- Refined and finalized implementation program

### **3.5 Compiling the complete draft plan**

The Commission Engineer and the Administrator will revise the various sections of the Plan based on feedback received during phase 3. We will compile a complete draft of the revised Plan in electronic format (PDF and/or MS Word). We will provide paper copies for review upon request for an additional cost outside of this scope. We will distribute the draft Plan for unofficial, internal review. We recommend that this review include commissioners and member city, partner staff, and BWSR.

We will summarize comments received during internal review and propose Plan revisions to the PSC for consideration. We will present the comments and proposed revisions to the Commission for input. Based on this feedback, we will revise the draft Plan and seek Commission approval to submit the draft Plan for official 60-day review. This work includes moving the plan content into a design program (InDesign) to develop a visually pleasing draft plan with photos, graphics, icons, etc.

**Deliverables:**

- Complete draft Plan for internal review (digital format)
- Summary of informal comments and proposed revisions
- One joint Commission and member city/partner staff meeting to discuss informal comments and proposed revisions
- Complete revised draft Plan (i.e., 60-day review draft) in standard format (e.g., MS Word)
- Complete InDesign formatted draft plan
- Submittal of draft Plan for official 60-day review

**Phase 4 – Formal review, approval, and adoption**

During phase 4, the Commission Engineer and the Administrator will guide the draft Plan through the formal review process as outlined in MN Statutes 103B.

Phase 4 Timeline; December 2024 – September 2025

Phase 3 Budget: \$20,865

Phase 3 Meetings: 2 PSC meetings; 1 Planning TAC meeting

**4.1 Completing formal 60-day review and responding to comments**

The Administrator will prepare a distribution letter and distribute the 60-day review draft Plan electronically to all Plan review authorities as required per MN Statutes 103B. We recommend that the BCWMC post the 60-day review draft Plan on its website for public review and comment. The Administrator will compile and organize comments received during the review period. The Commission Engineer and the Administrator will prepare draft responses to the comments and present the draft tabulated responses to the PSC and Commission for approval. Preparing responses to comments may include follow-up discussions with individual plan review authorities, as needed.

**Deliverables:**

- Compilation of formal comments and draft responses (table)
- Finalized responses to formal comments

## **4.2 Distributing responses to comments and holding public hearing**

Per MN Rules 8410, the BCMWC must hold a public hearing after responding to comments. The hearing must be held no sooner than 14 days after the 60-day review period ends and at least 10 days after submittal of the response to comments. If the planning process is successful up to this point, then the public hearing may be just a formality—a ratification of the Plan and the planning process. Typically, few people attend this event. We suggest holding the public hearing as part of a regularly scheduled Commission meeting. The Administrator will publicly notice the hearing consistent with rule and statute requirements. At the public hearing, the Administrator will give an overview of the draft Plan, a summary of the major comments on the Plan, and proposed responses/revisions.

### **Deliverables:**

- Electronic distribution of responses to comments
- Presentation of plan highlights at public hearing

## **4.3 Revising the draft Plan for 90-day review**

Following the public hearing, the Commission Engineer and the Administrator will revise the Plan according to the response to comments, additional Commission direction, and in response to comments heard at the public hearing (see Sections 4.1 and 4.2). We will produce two versions of the revised draft Plan – one version showing tracked changes and a clean version with changes accepted. The Administrator will provide the revised draft Plan to the Commission and seek approval to submit the Plan to BWSR for final review and approval. BWSR has 90 days to complete its final review. Prior to BWSR Board action on/approval of the Plan, a BWSR subcommittee meets to make its recommendation for approval/disapproval of the plan. Typically, the BCMWC is requested to attend and present its draft plan at the subcommittee meeting. We assume the Administrator and at least one commissioner will attend and present at the subcommittee meeting.

### **Deliverables:**

- Revised Plan document (standard format) submitted electronically to the Commission for approval at Commission meeting
- Revised draft plan with tracked changes (standard format) and without tracked changes (InDesign format) electronically submitted to BWSR
- Presentation at the BWSR regional subcommittee meeting

## **4.4 Obtaining Plan approval from BWSR and BCWMC adoption**

After receiving recommendation for approval from the BWSR regional subcommittee, we assume the BWSR Board will approve the BCMWC Plan. Following BWSR Board approval, the Administrator will request that the Commission approve a resolution to adopt the Plan at a regular meeting. The Commission Engineer and Administrator will make any final revisions needed (revisions at this point are assumed to be very minor) and compile the final Plan in InDesign layout as an electronic PDF.

**To:** Commissioners, Bassett Creek Watershed Management Commission  
**From:** Karen Chandler, Greg Williams (Barr), and Laura Jester, BCWMC Administrator  
**Subject:** 2025 Watershed Management Plan Draft Scope  
**Date:** January 13, 2022  
**Page:** 14

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The Administrator will prepare a transmittal memo and distribution list, and distribute the final Plan electronically. The Commission Engineer will prepare one printed copy for BWSR (as required), and additional printed copies upon request for an additional cost outside of this scope. The Administrator will make the Plan document available on the BCWMC website.

The Commission Engineer will provide the Administrator with all source data in digital format (e.g., MS Word files, tables, and GIS data).

**Deliverables:**

- Transmittal memo and distribution list
- Final Plan document (InDesign layout in electronic format suitable for the website and download)
- Source data in original digital format (e.g., MS Word, InDesign, Excel tables, GIS files)
- One printed copy of the Plan for BWSR

**Estimated project costs**

Estimated project hours and costs are presented below by project phase. Total costs presented in Table 1 are an initial estimate. Note that the estimated costs of Phase 1 (initial stakeholder engagement) may vary pending the specific scope established during development of the BWSR-approved stakeholder engagement plan (see Section 1.1); we anticipate that changes to Phase 1 estimated costs will be small. The estimated cost of Phase 2 (pre-plan technical work) will vary based on the scoping of pre-plan technical work (see Section 2.2).

Table 1 shows the separate estimated hours of the Commission Administrator and Engineer. Most of the project tasks are anticipated to be collaborative, with Commission Administrator and Engineer staff time apportioned to minimize cost while leveraging appropriate technical skills, institutional knowledge, and capacity.



**Table 1 Estimated Project Costs**

Project Phase	Administrator Hours	Administrator Labor Costs*	Commission Engineer Hours	Commission Engineer Labor Costs	Expenses	Total Cost
Phase 1 – Initial stakeholder engagement	162	\$11,670	147	\$24,360	\$2,000	\$38,030
Phase 2 – Pre-Plan work to address challenges**	16	\$1,150	36	\$5,940	--	\$7,090 - \$27,090**
Phase 3 – Development of the draft Plan document	150	\$11,250	288	\$45,660	--	\$56,910
Phase 4 – Formal review, approval, and adoption	81	\$6,075	82	\$12,790	\$2,000	\$20,865
<b>Project Total</b>	409	\$30,145	553	\$88,750	\$4,000	\$122,895 - \$142,895 **

\*Assumes \$72/hour rate for Phases 1 & 2; \$75/hour rate for Phases 3 & 4

\*\*A range is used because current hours for Phase 2 only reflect development of gaps analysis and development of a scope for completing pre-plan work. Expenses for performing any needed pre-plan work are currently unknown but may add up to \$20,000 to overall planning costs.

## Project Schedule

A draft project schedule is provided as Figure 2 on the following page.

Figure 2 2025 BCWMC Plan Development Proposed Schedule

Draft 2025 BCWMC Plan Update Schedule (draft 1/12/2022)		Stakeholder Engagement Meetings or Events					2022												2023												2024												2025											
Phase	Task (within Phase)	Commission	Plan Steering Committee	BCWMC TAC	Plan TAC	Public	Jan-22	Feb-22	Mar-22	Apr-22	May-22	Jun-22	Jul-22	Aug-22	Sep-22	Oct-22	Nov-22	Dec-22	Jan-23	Feb-23	Mar-23	Apr-23	May-23	Jun-23	Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24	Apr-24	May-24	Jun-24	Jul-24	Aug-24	Sep-24	Oct-24	Nov-24	Dec-24	Jan-25	Feb-25	Mar-25	Apr-25	May-25	Jun-25	Jul-25	Aug-25	Sep-25			
Phase 1 - Initial Stakeholder Engagement	Developing a stakeholder engagement plan	X	X		X																																																	
	Notification letter & summary of responses			X	X																																																	
	Hosting "Equity in Watershed Management" event	X		X		X				X																																												
	Hosting an online survey and summary					X																																																
	Meeting with community members	X				X																																																
	Engage the public at community/partner events	X	X	X		X																																																
	Hosting public kickoff/initial planning meeting	X		X	X	X														X																																		
	Establishing and meeting with TAC (includes prep/notes)			X	X											X									X				X																									
	Commission issue priority workshop	X		X																		X																																
Subtotal																																																						
Phase 2 - Pre-Plan Work to Address Challenges	Preliminary gaps analysis	X	X	X																																																		
	Scope pre-plan work to address challenges*	X		X																																																		
	Perform pre-plan work to address challenges**	X	X	X																																																		
Subtotal																																																						
Phase 3 - Develop the Draft Plan Development	Update Physical Environment Inventory	X		X																																																		
	Defining issues and measurable goals	X	X	X	X																																																	
	Revising policies and performance standards	X	X	X	X																																																	
	Creating a targeted implementation program	X	X	X	X																																																	
	Compiling the complete draft plan (InDesign) + internal review	X	X	X																																																		
Subtotal																																																						
Phase 4 - Review and Approval	Formal review; draft responses and get Comm. approval	X	X	X	X	X																																																
	Distributing responses and hosting public hearing	X				X																																																
	Revising the Plan for 90-day review	X																																																				
	90-day review				X																																																	
	Obtaining BWSR Approval (subcommittee meeting)		X		X																																																	
	BCWMC Adoption and Plan Production/Distribution	X																																																				
Subtotal																																																						

X = notable meeting dates (e.g., DEI summit, Plan adoption)

\* = larger challenges include chloride regulations, diversity/equity/inclusion considerations, linear project standards, CIP process, and education program

\*\* = work may include researching how others are addressing a particular issue, performing technical analyses, developing and discussing possible policies or programs

## 2021 Regenerative Air Street Sweeper Report City of Plymouth – December 2021

### Background

City of Plymouth purchased a Tymco 500X Regenerative Air Street (RAS) sweeper to collect fine sediment and debris more effectively with financial assistance from the Bassett Creek Watershed Management Commission, Elm Creek Watershed Management Commission, and Shingle Creek Watershed Management Commission. A requirement of the financial assistance includes annual reporting of use and effectiveness of the RAS sweeper.



*RAS Sweeper near Medicine Lake*



*Example sweepings pile*

The City's 2018 street sweeping policy assists in meeting the requirements of Municipal Separate Storm Sewer System (MS4) permit as a best management practice to reducing the amount of solids, nutrients, and chlorides entering water bodies throughout the City across all four watersheds.

### Total Swept Length

Table 1 below outlines the total number of curb miles swept within the City, separated by cost participating watershed. Curb miles includes lane miles of local roadway (curb or no curb) and lane miles of concrete median swept. The mileage within the Bassett Creek Watershed includes contract sweeping miles the City completes for the City of Medicine Lake. In total the City has operated the sweeper for 1,075 hours since purchased in spring 2020.

*Table 1: Summary of Curb Miles Swept by Watershed*

Watershed	Total Curb Miles Swept
Bassett Creek Watershed	368
Elm Creek Watershed	87
Shingle Creek Watershed	140
<b>Total</b>	<b>595</b>

*Note: Minnehaha Creek Watershed District is not a funding partner of the sweeper.*



# 2021 Regenerative Air Street Sweeper Report

City of Plymouth

December 2021

## Estimated Pollutant Removals

Table 2 below shows the summary of total pounds of Total Phosphorus (TP) and Chloride (Cl<sup>-</sup>) collected within the Bassett Creek Watershed district in 2020 and 2021. Table 3 shows the use and reporting requirements by zone number including associated downstream waterbodies, sweeping start date, curb miles swept, and estimated pollutant load reduction per curb mile of TP and Cl<sup>-</sup> as estimated from random sampling done with spring and fall sweeps. See the appendix of this report for a map of sweeping zones in the City.

*Table 2: Removal Summary for Bassett Creek Watershed*

	Bassett Creek Watershed Estimated Pollutant Removals			
	2020 TP	2020 Cl <sup>-</sup>	2021 TP	2021 Cl <sup>-</sup>
Average Per Zone (lbs)	13.68	5.14	10.04	9.66
Total Annual Removal (lbs)	232.48	87.37	169.45	163.09

*Note: Values calculated based on random sampling of street sweeping material at the University of Minnesota Soil Testing Laboratory and Three Rivers Park District Water Resources Laboratory*

*Table 3: Annual Sweeping Reporting by Zone*

Zone	Curb Miles	Downstream Waterbody	2020 Spring Sweep Date	2020 Fall Sweep Date	2021 Spring Sweep Date	2021 Fall Sweep Date	Estimated Annual Pollutant Removals (Pounds)			
							2020 TP	2020 Cl <sup>-</sup>	2021 TP	2021 Cl <sup>-</sup>
1B	11.9	Medicine Lake	6/16	9/2	4/7	9/7	7.52	2.83	5.52	5.32
1C	4.6	Northwood Lake	6/22	9/4	3/26	9/9	2.91	1.09	2.14	2.06
2A	22.8	Parkers Lake	5/29	9/9	4/8	9/14	14.42	5.42	10.58	10.19
3A	26.8	Medicine Lake & Bassett Creek	6/4	9/14	4/9	9/16	16.94	6.37	12.44	11.98
3B	27.3	Plymouth Creek & Medicine Lake	6/9	9/17	3/26	9/6	17.26	6.49	12.67	12.20
3C	24.7	Medicine Lake	6/18	8/25	4/15	9/3	15.62	5.87	11.47	11.04
3D	22.2	Lost Lake & Northwood Lake	6/20	8/26	4/19	9/1	14.04	5.27	10.31	9.92
4A	30.1	Turtle Lake & Plymouth Creek	6/11	9/17	4/29	9/17	19.03	7.15	13.97	13.45
4B	27.1	Plymouth Creek	5/29	10/14	4/6	11/4	17.13	6.44	12.58	12.11
4C	10.6	Plymouth Creek	6/23	9/10	3/22	9/9	6.70	2.52	4.92	4.74
4D	12.2	Medicine Lake	6/19	9/17	4/20	9/10	7.71	2.90	5.66	5.45
5A	37.9	Cavanaugh Lake & Medicine Lake	5/29	9/4	5/21	9/16	23.96	9.01	17.60	16.93
5C	36.1	Plymouth Creek & Parkers Lake	6/2	9/15	3/5	10/1	22.82	8.58	16.76	16.13
5D	16.6	Northwood Lake	6/22	9/11	4/27	8/31	10.50	3.94	7.71	7.42
6B	31	Plymouth Creek	6/11	8/31	4/6	9/20	19.60	7.37	14.39	13.85
6C	23.4	Plymouth Creek	6/15	10/8	3/25	9/20	14.79	5.56	10.86	10.46
6D	2.4	Plymouth Creek	6/4	10/13	4/28	9/17	1.52	0.57	1.11	1.07

*Notes: - Sweep date refers to start date or the primary date zone was swept.*

*- Samples were analyzed by University of Minnesota Soil Testing Laboratory and Three Rivers Park District Water Resources Lab*



## 2021 Regenerative Air Street Sweeper Report

City of Plymouth

December 2021

### RAS Sweeper Funding

Breakdown of funding for the purchase of the RAS sweeper is found in Table 4. Ongoing operations and maintenance costs are paid by the City.

*Table 4: RAS Funding Summary*

<b>Funding Agency</b>	<b>Funding Amount</b>
Bassett Creek Watershed Management Commission:	\$75,000
Elm Creek Watershed Management Commission:	\$29,715
Shingle Creek Watershed Management Commission:	\$75,000
City of Plymouth:	\$136,328.23
<b>Total Purchase Price (State Contract Pricing)</b>	<b>\$316,043.23</b>

In addition to this report, attached is a request to the Bassett Creek Watershed Management Commission for reimbursement of \$75,000 per the “Cooperative Agreement for Cost Share Purchase of High Efficiency Street Sweeper ML-23” between the City of Plymouth and the Commission. The City is grateful for this partnership to assist with improving water quality and protections.

Sincerely,



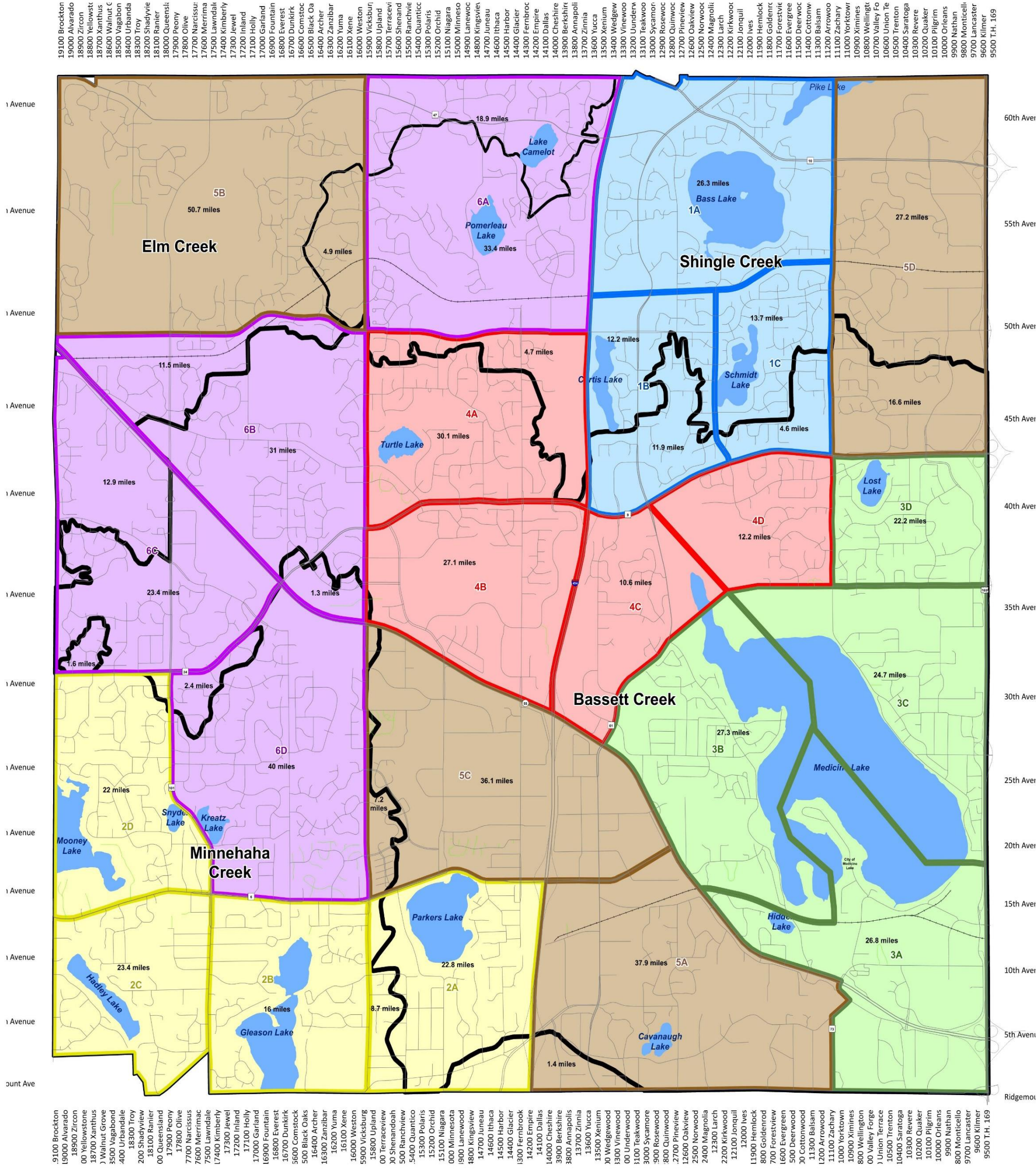
Ben Scharenbroich  
Water Resources Supervisor





**Street Sweeping Zones**

Below is a map defining the City's street sweeping zones, including broken down by watershed district.



**Street Sweeping Zones  
Total Lane Miles - 708.8**







Item 5E.  
BCWMC 1-20-22  
Full document online

December 14, 2021

Keystone Waters  
c/o Laura Jester  
Bassett Creek Watershed Management Commission  
16145 Hillcrest Lane  
Eden Prairie, MN 55346

SUBJECT: High Efficiency / Regenerative Air Street Sweeper

Dear Ms. Jester,

Enclosed/attached you will find the first annual report and payment documentation totaling \$296,665.00 to date for the purchase of a new Tymco 500x Street Sweeper. Per the "Cooperative Agreement for Cost Share Purchase of High Efficiency Street Sweeper ML-23" between the City of Plymouth and the Bassett Creek Watershed Management Commission, the City is requesting reimbursement of \$75,000.00 for this purchase.

The City is grateful for the partnership with the Bassett Creek Watershed Management Commission on water quality improvements and protections.

Sincerely,

A handwritten signature in blue ink that reads 'Ben Scharenbroich'.

Ben Scharenbroich  
Water Resources Supervisor

enc





City of  
**Plymouth**  
 3400 Plymouth Blvd.  
 Plymouth, MN 55447  
 Phone: (763) 509-5000

**Purchase Order**  
 No. 2020-00000804

DATE 02/28/2020

PURCHASE ORDER NUMBER MUST APPEAR ON ALL  
 CORRESPONDENCE

Vendor

Environmental Equipment & Services Inc  
 27365 Zachary Ave  
 Elko New Market, MN 55020

VENDOR NO. 7189

QUANTITY	UNIT	DESCRIPTION	UNIT COST	TOTAL COST
1.0000	Total	New Tymco 500X Street Sweeper - CIP#: WR200007 510-70-751-75100-8100.500 - Capital Outlay (> 5K) Machinery & Equipment 296,665.00	296,665.0000	\$296,665.00
			SUBTOTAL	\$296,665.00
			SALES TAX	\$0.00
			TOTAL DUE	\$296,665.00

Ship To  
 City of Plymouth  
 Water Resources Division  
 3400 Plymouth Blvd.  
 Plymouth, MN 55447

Bill To  
 City of Plymouth  
 Water Resources Division  
 3400 Plymouth Blvd.  
 Plymouth, MN 55447





## Bassett Creek Watershed Management Commission MEMO

Date: January 12, 2022  
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 Nov):** A feasibility study for this project was completed in May 2018 after months of study, development of concepts and input from residents at two public open houses. At the May 2018 meeting, the Commission approved Concept 3 and set a maximum 2019 levy. Also in May 2018, 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 2018. A BCWMC public hearing on this project was held on August 16, 2018 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 2018, the City of Golden Valley approved the agreement with the BCWMC. The [Sun Post](#) ran an article on this project October 2018. Another public open house and presentation of 50% designs was held February 6, 2019. An EAW report was completed and available for public review and comment December 17 – January 16, 2019. At their meeting in February 2019, the Commission approved the 50% design plans. Another public open house was held April 10<sup>th</sup> and a public hearing on the water level drawdown was held April 16<sup>th</sup>. 90% Design Plans were approved at the April Commission meeting. It was determined a Phase 1 investigation of the site is not required. The City awarded a contract to Dahn Construction for the first phase of the project, which involves earthwork, utilities, and trail paving and extends through June 2020. Dewatering began late summer 2019. Tree removal was completed in early winter; excavation was ongoing through the winter. As of early June 2020, earth work and infrastructure work by Dahn Construction is nearly complete and trail paving is complete. Vegetative restoration by AES is underway including soil prep and seeding. Plants, shrubs, and trees will begin soon along with placement to goose protection fencing to help ensure successful restoration. The construction phase of this project was completed in June with minor punch list items completed in September. The restoration and planting phase is complete except for minor punch list items and monitoring and establishment of vegetation over three growing seasons. A final grant report for BWSR's Watershed Based Implementation Funding was submitted at the end of January. City staff recently completed a site walk through to document dead or dying trees and shrubs in need of replacement (under warranty). This project (along with Golden Valley's Liberty Crossing Project) recently received the award for "Project of the Year" from the Minnesota Association of Floodplain Managers as part of the overall Project website: <http://www.bassettcreekwmo.org/index.php?cID=433> .

**2020 Bryn Mawr Meadows Water Quality Improvement Project (BC-5), Minneapolis (See Item 5A):** A feasibility study by the Commission Engineer was developed in 2018 and approved in January 2019. The study 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. Project construction year was revised from 2020 and 2022 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 public hearing for this project was held September 19, 2019. The project was officially ordered at that meeting. In January 2020 this project was awarded a \$400,000 Clean Water Fund grant from BWSR; a grant work plan was completed and the grant with BWSR was fully executed in early May 2020. The project and the grant award was the subject of an article in the Southwest Journal in February: <https://www.southwestjournal.com/voices/green-digest/2020/02/state-awards-grant-to-bryn-mawr-runoff-project/>. In early September 2020, Minneapolis and MPRB staff met to review the implementation agreement and maintenance roles. BCWMC developed options for contracting and implementation which were presented at the November meeting. At that meeting staff was directed to develop a memorandum of understanding or agreement among BCWMC, MPRB, and city of Minneapolis to more formally recognize and assign roles and responsibilities for implementation. The draft agreement was developed over several

months and multiple conversations among the parties. At the May 2021 meeting the Commission approved to waive potential conflict of the Commission legal counsel and reviewed a proposal for project design by the Commission Engineer. The updated design proposal and the design agreement among all three parties were approved at the June 2021 meeting. Four public open houses have been held in the park since late July to gather input on park concepts. Project partners meet regularly to discuss schedules, planning and design components, and next steps. Concept designs were approved by the MRPB Board in late 2021. Staff have been in contact with MnDOT regarding clean out of Penn Pond and will hold a meeting with them soon. 50% design plans are presented at this meeting. Project website: <http://www.bassettcreekwmo.org/projects/all-projects/bryn-mawr-meadows-water-quality-improvement-project>

**2020 Jevne Park Stormwater Improvement Project (ML-21) Medicine Lake:** At their meeting in July 2018, the Commission approved a proposal from the Commission Engineer to prepare a feasibility study for this project. The study got underway last fall and the city's project team met on multiple occasions with the Administrator and Commission Engineer. The Administrator and Engineer also presented the draft feasibility study to the Medicine Lake City Council on February 4, 2019 and a public open house was held on February 28<sup>th</sup>. The feasibility study was approved at the April Commission meeting with intent to move forward with option 1. The city's project team is continuing to assess the project and understand its implications on city finances, infrastructure, and future management. The city received proposals from 3 engineering firms for project design and construction. At their meeting on August 5<sup>th</sup>, the Medicine Lake City Council voted to continue moving forward with the project and negotiating the terms of the agreement with BCWMC. Staff was directed to continue negotiations on the agreement and plan to order the project pending a public hearing at this meeting. Staff continues to correspond with the city's project team and city consultants regarding language in the agreement. The BCWMC held a public hearing on this project on September 19, 2019 and received comments from residents both in favor and opposed to the project. The project was officially ordered on September 19, 2019. On October 4, 2019, the Medicine Lake City Council took action not to move forward with the project. At their meeting in October 2019, the Commission moved to table discussion on the project. The project remains on the 2020 CIP list. In a letter dated January 3, 2022, the city of Medicine Lake requested that the Commission direct its engineer to analyze alternatives to the Jevne Park Project that could result in the same or similar pollutant removals and/or stormwater storage capacity. This item will be discussed at the February 2022 meeting. Project webpage: <http://www.bassettcreekwmo.org/index.php?cid=467>.

**2017 Main Stem Bassett Creek Streambank Erosion Repair Project (2017CR-M) (No change since Dec 2021):** 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 2017, 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. Construction was to begin summer of 2018 but was delayed until 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 ongoing negotiations with Pioneer Paper.

Construction began in November 2020 with clearing and grubbing to have access to the creek and to remove trees from the work area. In the Fruen Mill Reach work was completed per design plans on the south side of the creek, including stabilizing the existing MPRB trail, installing riprap toe protection and grading the bank. In the Cedar Lake Road to Irving Avenue Reach, the City was unable to come to an agreement with Pioneer Paper to get the amount of access needed to install the VRSS on the north side of the creek. The property owner allowed access to the streambank but instead of installing VRSS through this reach the City installed riprap toe protection, removed debris, completed bank grading and live staking and seeding, and installed the in-stream rock vanes to divert flows away from the steep banks. In Irving Avenue to the tunnel reach, the work was completed according to design plans with the installation of live staking, rock vanes within the stream channel, removal of brush and invasive species, and the installation of live stakes and fascines to encourage native plant growth and minimize bank erosion. Construction was completed in December 2020. An ERF grant report and RAP report are currently being developed. Vegetation was established in the spring. A Response Action Implementation Report was recently drafted and, once final, will be submitted to the MPCA for technical review and approval and will be submitted to Hennepin County as part of the ERF Grant reporting. Project Website: [www.bassettcreekwmo.org/projects/all-projects/bassett-creek-main-stem-erosion-repair-project-cedar-lake-ro](http://www.bassettcreekwmo.org/projects/all-projects/bassett-creek-main-stem-erosion-repair-project-cedar-lake-ro)

**2014 Schaper Pond Diversion Project and Carp Management, Golden Valley (SL-3) (No change since Sept 2021):** 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. At the October 2020 meeting, the Commission received a report on the carp surveys and recommendations for carp removal and management. Carp removals were performed through the Sweeney Lake Water Quality Improvement Project. Results were presented at the February 2021 meeting along with a list of options for long term carp control. Commission took action approving evaluation of the long-term options to be paid from this Schaper Pond Project. Commission and Golden Valley staff met in March 2021 to further discuss pros and cons of various options. Evaluation results and recommendations will be presented at this meeting. Project webpage: <http://www.bassettcreekwmo.org/index.php?cID=277>.

**Sweeney Lake Water Quality Improvement Project, Golden Valley (SL-8) (No change since March 2021):** This project was added to the 2020 CIP list after receiving a federal 319 grant from the MPCA. It is partially a result of the carp surveys completed through the Schaper Pond Diversion Project and a study of the year-round aeration on Sweeney Lake. This project will treat curly-leaf pondweed in spring 2020, will remove carp in summer 2020, and will perform an alum treatment on Sweeney Lake in late summer 2020. The project was officially ordered by the Commission after a public hearing in September 2019. A public open house on this project was held via Webex on April 8<sup>th</sup> with approximately 20 people joining. The open house presentation and a question and answer document are available online. The curly-leaf pondweed herbicide treatment was completed in May. Carp Solutions performed carp tracking and setting nets in early June. The first round of netting resulted in 334 carp removed from Sweeney Lake (mean length 620 mm, mean weight 3.1 kg), representing an estimated 29% of the total population. From Schaper Pond 82 carp removed which likely represents about 17% of the initial population. After another round of carp removals in late July, 118 additional carp were netted from Sweeney. Based on preliminary estimates, approximately 40% of the carp population was removed from Sweeney this summer. The carp biomass was reduced from approximately 129 kg/ha to 79 kg/ha, which is below the threshold where adverse impacts on water quality are expected. The first round of alum treatment was completed in late October. A grant report and payment request were submitted at the end of January. A report on the results of the carp removals and recommendations for future management were presented at the February 2021 meeting. Long term carp management evaluation will happen through the Schaper Pond Diversion Project funding. A one-page overview of 2020 activities and outcomes was developed for the Sweeney Lake Association and [posted online](#) in March. The project website: [Sweeney Lake Water Quality Improvement Project, SL-8](#).

**2014 Twin Lake In-lake Alum Treatment, Golden Valley (TW-2): (No change since June 2018)** 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 2<sup>nd</sup> treatment may be needed in the future. Project webpage: <http://www.bassettcreekwmo.org/index.php?cID=278>.

**2013 Four Seasons Area Water Quality Project (NL-2) (No change since September 2021):** 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. In 2019, a new potential buyer/developer (Dominium) began preparing plans for redevelopment at the site. City staff, the Commission Engineer and I have met on numerous occasions with the developer and their consulting engineers to discuss stormwater management and opportunities with “above and beyond” pollutant reductions. Concurrently, the Commission attorney has been working to draft an agreement to transfer BCWMC CIP funds for the above and beyond treatment. At their meeting in December, Dominium shared preliminary project plans and the Commission discussed the redevelopment and potential “above and beyond” stormwater management techniques. At the April 2020 meeting, the Commission conditionally approved the 90% project plans. The agreements with Dominium and the city of Plymouth to construct the project were approved May 2020 and project designers coordinated with Commission Engineers to finalize plans per conditions. In June 2021, the City of Plymouth purchased the property from Walmart. The TAC discussed a potential plan for timing of construction of the stormwater management BMPs by the city in advance of full redevelopment. At the August 2021 meeting, the Commission approved development of an agreement per TAC recommendations. The draft agreement is expected at a future meeting. Project webpage: <http://www.bassettcreekwmo.org/index.php?cID=282>.

**2021 Parkers Lake Drainage Improvement Project (PL-7) (No change since Nov 2021):** The feasibility study for this project was approved in May 2020 with Alternative 3 being approved for the drainage improvement work. After a public hearing was held with no public in attendance, the Commission ordered the project on September 17, 2020 and entered an agreement with the city of Plymouth to design and construct the project. The city hired WSB for project design which is currently underway. 60% design plans were approved at the June meeting. 90% plans were approved at the August meeting. The city of Plymouth recently awarded the construction contract and will hold a pre-construction meeting soon. Construction is slated to get underway in mid-December. [www.bassettcreekwmo.org/projects/all-projects/parkers-lake-drainage-improvement-project](http://www.bassettcreekwmo.org/projects/all-projects/parkers-lake-drainage-improvement-project)

**2021 Parkers Lake Chloride Reduction Project (PL-7) (No change since Dec 2021):** The feasibility study for this project was approved in May 2020 with Alternative 3 being approved for the drainage improvement work. After a public hearing was held with no public in attendance, the Commission ordered the project on September 17, 2020 and entered an agreement with the city of Plymouth to implement the project in coordination with commission staff. City staff and I have had an initial conversation about this project. The city plans to collect additional chloride data this winter in order to better pinpoint the source of high chlorides loads within the subwatershed. Partners involved in the Hennepin County Chloride Initiative (HCCI) are interested in collaborating on this project. A proposal from Plymouth and BCWMC for the “Parkers Lake Chloride Project Facilitation Plan” was approved for \$20,750 in funding by the HCCI at their meeting in March. The project will 1) Compile available land use data and chloride concentrations, 2) Develop consensus on the chloride sources to Parkers Lake and potential projects to address these sources, and 3) Develop a recommendation for a future pilot project to reduce chloride concentrations in Parkers Lake, which may be able to be replicated in other areas of Hennepin County, and 4) help target education and training needs by landuse. A series of technical stakeholder meetings are being held this fall and winter to develop recommendations on BMPs. Project website: [www.bassettcreekwmo.org/projects/all-projects/parkers-lake-drainage-improvement-project](http://www.bassettcreekwmo.org/projects/all-projects/parkers-lake-drainage-improvement-project)

**2021 Mt. Olivet Stream Restoration Project (ML-20) (No change since Nov 2021):** The feasibility study for this project was approved in May 2020 with Alternative 3 being approved for the drainage improvement work. After a public hearing was held with no public in attendance, the Commission ordered the project on September 17, 2020 and entered an agreement with the city of Plymouth to design and construct the project. The city hired WSB for project design which is currently underway. 60% design plans were approved in June. 90% plans were approved at the August. The city of Plymouth recently awarded the construction contract and will hold a pre-construction meeting soon. Construction is slated to get underway in mid-December. [www.bassettcreekwmo.org/projects/all-projects/mt-olivet-stream-restoration-project](http://www.bassettcreekwmo.org/projects/all-projects/mt-olivet-stream-restoration-project)

**2021 Main Stem Lagoon Dredging Project (BC-7):** The feasibility study for this project was approved in May 2020 with Alternative 2-all (dredge all three lagoons to 6-foot depth) being approved. After a public hearing was held with no public in attendance, the Commission ordered the project on September 17, 2020. Rather than entering an agreement with a separate entity to design and construct this project, the Commission will implement the project in close coordination with the MPRB. At their meeting in November, the Commission approved a timeline for implementation and the Commission Engineer was directed to prepare a scope of work for project design and engineering. The engineering scope and budget were approved at the May 2021 meeting. Design and permitting got underway in summer 2021. Dredging of all three lagoons is planned for winter 2022/2023. A grant agreement for the \$250,000 Watershed Based Implementation Funding grant was approved at the January 2021 meeting. The project work plan was approved by BWSR. In the spring 2021 the Commission approved a grant agreement for a Hennepin County Opportunity Grant for this project. An Environmental Assessment Worksheet was approved by the Commission at their October 2021 meeting and was submitted for a 30-day comment period by the City of Golden Valley as

the RGU. A meeting of project stakeholders was held December 7<sup>th</sup> and 50% designs were approved at the December 2021 meeting. Comments were received on the EAW from multiple review agencies and one private citizen. Agency comments were relatively minor and expected. Comments from the citizen were more complex and detailed, requesting much information on project impacts to specific species and questioning why the project won't return the creek to its pre-settlement channel and wetland complex rather than dredging manmade lagoons. Responses to comments are being developed now and an extension to the review period is being sought. Commission approval of the responses to comments is not planned at this time due to delegation of this task to staff and the RGU (city of Golden Valley). Project website:[www.bassettcreekwmo.org/projects/all-projects/bassett-creek-main-stem-lagoon-dredging-project](http://www.bassettcreekwmo.org/projects/all-projects/bassett-creek-main-stem-lagoon-dredging-project)

**2021 Cost-share Purchase of High Efficiency Sweeper (ML-23) (See Items 5D and 5E):** Because the Commission had not entertained a project like this in the past (to cost share equipment purchase), this proposed project was discussed by the Commission in February and April, 2020 after being recommended for approval by the TAC. The Commission approved a [policy](#) regarding the use of CIP funds for equipment purchases at their April 2020 meeting. The project was added to the CIP through a Watershed Plan Amendment adopted in August 2020 and was officially ordered by the Commission on September 17, 2020 after a public hearing. The Commission entered an agreement with the city of Plymouth which includes reporting requirements for street sweeper use and effectiveness. The city purchased and began using the sweeper in 2020. The city is waiting for sweeper analyses data from the U of M. The first report and reimbursement request is presented at this meeting along with a request for reimbursement.

**2022 Medley Park Stormwater Treatment Facility (ML-12):** The feasibility study for this project is complete after the Commission Engineer's scope of work was approved last August. City staff, Commission Engineers and I collaborated on developing materials for public engagement over the fall/early winter. A project kick-off meeting was held in September, an internal public engagement planning meeting was held in October, and a Technical Stakeholder meeting with state agencies was held in November. A [story map of the project](#) was created and a survey to gather input from residents closed in December. Commission Engineers reviewed concepts and cost estimates have been reviewed by city staff and me. Another public engagement session was held in April to showcase and receive feedback on concept designs. The feasibility report was approved at the June meeting with a decision to implement Concept #3. At the July meeting the Commission directed staff to submit a Clean Water Fund grant application, if warranted. A grant application was developed and submitted. Funding decisions are expected in early December. A public hearing on this project was held in September with no members of the public attending. In September, a resolution was approved to officially order the project, submit levy amounts to the county, and enter an agreement with the city to design and construct the project. The city hired Barr Engineering to develop the project designs which are now underway. The BCWMC received a \$300,000 Clean Water Fund grant from BWSR in December 2021. A work plan and grant agreement are being developed now. A public open house on the project is scheduled for March 3<sup>rd</sup> at Brookview (see BCWMC online calendar). 50% design plans will be presented later this winter. [www.bassettcreekwmo.org/projects/all-projects/medley-park-stormwater-treatment-facility](http://www.bassettcreekwmo.org/projects/all-projects/medley-park-stormwater-treatment-facility)

**2022 SEA School-Wildwood Park Flood Reduction Project (BC-2, 3, 8, 10) (See Item 5B):** The feasibility study for this project is complete after the Commission Engineer's scope of work was approved last August. A project kick-off meeting with city staff was held in late November. Meetings with city staff, Robbinsdale Area School representatives, and technical stakeholders were held in December, along with a public input planning meeting. A virtual open house video and comment form were offered to the public including live chat sessions on April 8<sup>th</sup>. The feasibility study report was approved in June with a decision to implement Concept #3. A public hearing on this project was held in September with no members of the public attending. In September, a resolution was approved to officially order the project, submit levy amounts to the county, and enter an agreement with the city to design and construct the project. The city hired Barr Engineering to develop the project designs which are now underway. A public open house is schedule for February 3<sup>rd</sup> 5:00 – 7:30 p.m. at Brookview. 50% Design Plans will be presented at this meeting. [www.bassettcreekwmo.org/projects/all-projects/sea-school-wildwood-park-flood-reduction-project](http://www.bassettcreekwmo.org/projects/all-projects/sea-school-wildwood-park-flood-reduction-project).

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**Administrator Report December 9, 2021 – January 11, 2022**

Subject	Work Progress
<b>Education</b>	<ul style="list-style-type: none"> <li>• Attended WMWA meeting</li> </ul>
<b>CIP</b>	<ul style="list-style-type: none"> <li>• <u>Main Stem Lagoon Dredging Project</u>: Reviewed memo on 50% design plans; drafted notes from stakeholder meeting; corresponded with resident about submitting comments on EAW; reviewed draft responses to comments on EAW and discussed with Commission Engineer</li> <li>• <u>Medley Park Stormwater Treatment Facility</u>: Reviewed estimated project costs; participated in public outreach planning meeting; reviewed letter to residents and public open house boards</li> <li>• <u>Jevne Park Stormwater Improvement Project</u>: Discussed possibility of analyzing alternatives with commissioners, TAC member and city council member; reviewed letter received and passed along to chair and Commission Engineer</li> <li>• <u>SEA School-Wildwood Park Flood Reduction Project</u>: Reviewed 50% design plans and memo</li> <li>• <u>Parkers Lake Chloride Reduction Project</u>: Attended facilitation project meeting with technical stakeholders</li> <li>• <u>Bryn Mawr Meadows Water Quality Improvement Project</u>: Reviewed and discussed construction agreements with Commission attorney, and MPRB and city staff; participated in partner meeting</li> <li>• <u>Main Stem Bassett Creek Erosion Repair Project</u>: Reviewed and commented on draft final report</li> <li>• <u>Cost Share High Efficiency Street Sweeper, Plymouth</u>: Reviewed and commented on report and reimbursement request</li> </ul>
<b>Chloride Work and Henn Co. Chloride Initiative</b>	<ul style="list-style-type: none"> <li>• Corresponded with MP+G Marketing Solutions re: HCCI marketing campaign and set up Google drive and documents; requested input from HCCI members for marketing project research and example projects</li> <li>• Arranged and facilitated marketing project kick-off meeting and one follow up meeting with consultant and HCCI subgroup</li> <li>• Reviewed MP+G marketing plan and revised timeline</li> <li>• Discussed chloride education with Golden Valley Greencorps member</li> <li>• Participated in pilot test run of Smart Salting for Local Leaders training developed by MPCA</li> </ul>
<b>Administration</b>	<ul style="list-style-type: none"> <li>• Developed agenda; reviewed and submitted invoices; reviewed financial report; drafted December meeting minutes; reviewed memos and documents for Commission meeting; disseminated Commission meeting information to commissioners, staff, and TAC; updated online calendar; participated in pre-meeting call with Chair Cesnik and Commissioner Engineer; drafted meeting follow up email</li> <li>• Drafted application for Climate Resiliency Grant application; worked with Commission Engineer to finalize and submitted to MPCA through online forms</li> <li>• Facilitated Administrative Services Committee Meeting</li> <li>• Sent staff evaluation forms to commissioners and TAC members</li> <li>• Reviewed proposal and terms/contract with Redpath for 2022 financial account management</li> <li>• Reviewed proposal from MMKR for 2021 financial audit</li> <li>• Discussed future of bank statements/bank interactions with Golden Valley staff and Redpath; inquired with other watersheds on how they handle finances</li> <li>• Corresponded with State of MN regarding campaign finance economic interest statements and sent reminder email to commissioners</li> <li>• Reviewed letter from Golden Valley on the Golden Valley Pavement Management Program as required at December meeting and forwarded to Commissioner Carlson</li> <li>• Drafted resolutions of appreciation for several commissioners</li> </ul>
<b>2025 Watershed Management Plan</b>	<ul style="list-style-type: none"> <li>• Assisted with drafting scope and budget for plan development</li> </ul>
<b>Other Issues &amp; Projects</b>	<ul style="list-style-type: none"> <li>• Corresponded with Minneapolis staff, Commission Engineer, Commission Attorney re: proposed development over Bassett Creek Tunnel access including phone calls, emails, meetings; reviewed and discussed city’s draft revised easement agreement language with Commission Attorney and Engineer</li> <li>• Participated in Met Council Water Policy Plan Advisory Team meeting</li> </ul>