



Bassett Creek Watershed Management Commission

**DRAFT Minutes of Regular Meeting
Thursday, February 17, 2022
8:30 a.m.**

Via video conference due to the COVID-19 global pandemic

1. CALL TO ORDER and ROLL CALL

On Thursday, February 17, 2022 at 8:32 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	Joan Hauer	Mark Ray
Golden Valley	<i>Absent</i>	Jane McDonald Black	Eric Eckman
Medicine Lake	Clint Carlson	Gary Holter	Susan Wiese
Minneapolis	Michael Welch	Jodi Polzin	Liz Stout, Katie Kowalczyk
Minnetonka	<i>Vacant Position</i>	<i>Vacant Position</i>	Leslie Yetka
New Hope	Jere Gwin-Lenth	Patrick Crough	Nick Macklem
Plymouth	Catherine Cesnik	Monika Vadali	Pavel Nikolov, Chris LaBounty, Mike Payne
Robbinsdale	Wayne Sicora	<i>Vacant Position</i>	Richard McCoy
St. Louis Park	<i>Absent</i>	<i>Absent</i>	<i>Absent</i>
Administrator	Laura Jester, Keystone Waters		
Engineers	Karen Chandler, Katie Turpin-Nagel, Greg Williams, Stephanie Johnson: Barr Engineering		
Recording Secretary	Jan Voit		
Legal Counsel	Dave Anderson, Kennedy & Graven		
Presenters/ Guests/Public	Anna Peterson, Friends of Bassett Creek;		

Due to the number of new commissioners, Chair Cesnik asked commissioners and alternate commissioners to introduce themselves. Administrator Jester facilitated introductions.

2. PUBLIC FORUM ON NON-AGENDA ITEMS

No comments from the public were made.

3. APPROVAL OF AGENDA

MOTION: Commissioner Carlson moved to approve the agenda with the removal of items 4D, 4E, and 4G from the consent agenda. Commissioner Welch seconded the motion. Upon a roll call vote, the motion carried 7-0, with the cities of Minnetonka and St. Louis Park absent from the vote.

4. CONSENT AGENDA

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

- Approval of January 20, 2022 Meeting Minutes
- Acceptance of 2021 Fiscal Year End Financial Report
- Approval of Payment of Invoices
 - i. Keystone Waters, LLC – January 2022 Administrative Services
 - ii. Keystone Waters, LLC – January 2022 Meeting Expenses
 - iii. Barr Engineering – January 2022 Engineering Services
 - iv. Kennedy & Graven – December 2021 Legal Services
 - v. Redpath – January 2022 Accounting Services
 - vi. Stantec – WOMP Services
 - vii. HDR – Website Services
 - viii. CNA Surety – 2022 Bond Insurance
- Approval of Ridgedale Mall Sears Redevelopment Project, Minnetonka
- Approval to Designate *Finance and Commerce* as the Official News Publication of the BCWMC
- Approval of Resolution 22-01 Designating Depositories for BCWMC Funds
- Approval of Resolution 22-02 to Transfer Funds from CIP Account to Administrative Account
- Approval of Resolution 22-03 to Transfer Funds from Administrative Account to Channel Maintenance Fund, Long-Term Maintenance Fund, and Next Generation Plan Development Savings Account
- Approval of Resolution 22-04 Transferring Funds from Flood Control Project Long Term Account to Administrative Fund

MOTION: Commissioner Welch moved to approve the consent agenda as amended. Commissioner Carlson seconded the motion. Upon a roll call vote, the motion carried 7-0, with the cities of Minnetonka and St. Louis Park absent from the vote.

Moved off consent: 4D Approval of Payment for Friends of Bassett Creek (FBC) for Restoration Project, Bassett’s Creek Park

Commissioner Welch recommended delaying action because no actual invoice has been submitted. Commission Attorney Anderson agreed that payment should not be made. Administrator Jester explained that the restoration project is underway and that a contribution to this project was approved by the Education Committee and the BCWMC. She would like the costs to be reflected in the finances for fiscal year 2021. Anna Peterson, Friends of Bassett Creek explained that work has been continuing on the restoration project for over a year. Ecologists with Friends of the Mississippi River (FMR) did much of the work in the spring and fall and they are planning additional work this year. FMR has not yet submitted an invoice to FBC. Administrator Jester indicated she would bring an appropriate invoice to a future meeting.

MOTION: Commissioner Welch moved conditional approval of payment to FMR for restoration work completed upon receipt of an invoice for services rendered. Commissioner Carlson seconded the motion. Upon a roll call vote, the motion carried 7-0, with the cities of Minnetonka and St. Louis Park absent from the vote.

Moved off consent: 4E Approval of Administrative Services Agreement for Recording Secretary

Administrator Jester explained that Dawn Pape, the consultant preparing meeting minutes, ended her contract with BCWMC in November of 2021. Jan Voit, a current contractor for the Minnesota Association of Watershed Districts (MAWD) and former administrator for the Heron Lake Watershed District introduced herself. She thanked the BCWMC for the opportunity to work for them. Administrator Jester explained that the draft document required amending to remove a line requiring Ms. Voit to be present at meetings.

MOTION: Commissioner Welch moved to approve the agreement as amended and to include a confidentiality clause as drafted by Commission Attorney Anderson. Commissioner Sicora seconded the motion.

Discussion: Commission Attorney Anderson asked for clarification regarding the need for a confidentiality agreement. Commissioner Welch explained that there may be a need for minutes taken during closed sessions. Anything that would be considered confidential must be held in confidence by Ms. Voit. A confidentiality agreement also gives the BCWMC more flexibility to give her a broader scope of work.

Upon a roll call vote, the motion carried 7-0, with the cities of Minnetonka and St. Louis Park absent from the vote.

Moved off consent: 4G Approval of Plymouth 2022 Street Reconstruction Project

Commissioner Welch stated that he wanted this item removed from the consent agenda so he could explain why he would be voting against the motion. It is his belief that more stringent water quality standards for linear projects were warranted. His objection is not about the City of Plymouth or this project, it is about the need to update BCWMC's standard to capture more opportunities for water quality improvement with linear projects. Commissioner Carlson asked how this would apply to street reconstruction projects that are replacing impervious surface 1:1. Commissioner Welch explained that he did not have a suggestion for how this could be fixed, only that he believed there is a need for a consistent water quality standard for street reconstruction projects.

MOTION: Commissioner Carlson moved to approve the Plymouth 2022 Street Reconstruction Project. Commissioner Gwin-Lenth seconded the motion. Upon a roll call vote, the motion carried 6-1, with the city of Minneapolis voting against and the cities of Minnetonka and St. Louis Park absent from the vote.

Chair Cesnik requested that Administrator Jester note these comments for updating the Watershed Management Plan (WMP).

5. ORGANIZATIONAL MEETING

A. Elect Officers

Chair Cesnik turned the meeting over to Commission Attorney Anderson. He explained that each year, at the February meeting, the BCWMC elects officers. Typically, this would be done by asking for nominations for each position. He was not aware of whether the current officers were interested in maintaining their positions. The secretary position is vacant. He opened the floor for discussion and nominations.

Commissioners discussed whether an alternate commissioner could be an officer. They were informed that an alternate commissioner cannot serve as an officer. Commissioners also discussed whether the current officers would consider remaining in their positions; Commissioners Cesnik and Welch indicated they were willing to be re-elected. Administrator Jester informed the commissioners that the secretary and treasurer can be combined into one position and noted that Commissioner Harwell had indicated her willingness to be re-elected as treasurer

MOTION: Commissioner Welch nominated and recommended the reelection of Commissioner Cesnik to serve as Chair, Commissioner Welch to serve as Vice Chair, and Commissioner Harwell to serve in the combined position of Secretary/Treasurer. Commissioner Sicora seconded the motion. Upon a roll call vote, the motion carried 7-0, with the cities of Minnetonka and St. Louis Park absent from the vote.

B. Review 2022 Commission Calendar and Areas of Work

Administrator Jester reminded the commissioners that an administrative calendar is included in each monthly packet. A list of contracts held and committee descriptions are also included in the calendar. She asked commissioners to update their calendars to include meeting dates. Commissioner Anderson noted that receiving the report on staff evaluations was tabled in January and needs to be added to the calendar. Administrator Jester thanked Commissioner Anderson for the reminder and stated that Commissioner Harwell is gathering staff evaluation information and she could not attend today's meeting and that this item would be added to the March calendar.

C. Appoint Committee Members

Administrator Jester explained that the list of current committee members was included in the packet. There will be a committee formed for the WMP revision, which will be addressed later in today's meeting. The bulk of that work will be done in 2023 and 2024. Commissioners volunteered for committees as follows:

- i. Administrative Services Committee: Commissioners Cesnik, Gwin-Lenth, and Welch
- ii. Budget Committee: Commissioners Cesnik, Carlson, and Anderson, and Alternate Commissioners McDonald Black and Polzin

- iii. Education Committee: Commissioner Cesnik, and Alternate Commissioners Hauer and Vadali
- iv. Technical Advisory Committee (TAC) Liaison: A TAC liaison is typically appointed before each TAC meeting. Commissioner Welch volunteered as the liaison for the upcoming meeting. Alternate Commissioner Polzin stated she would serve as an alternate for the upcoming meeting.

D. Review Open Meeting Law

Administrator Jester reminded the commissioners that information about the open meeting law was included in the packet. Questions regarding this subject should be addressed to Commission Attorney Anderson when they arise. She also pointed out that “replying all” to email messages is one way that the open meeting law is violated. She explained that commissioners should reply directly to her when responding to email correspondence from her.

Commission Attorney Anderson asked that the commissioners revisit the committee member appointments. He stated that this should be done by motion and approved by the majority of the commission.

MOTION: Alternate Commissioner McDonald Black made a motion to approve the following committee members: Administrative Services Committee: Commissioners Cesnik, Gwin-Lenth, and Welch; Budget Committee: Commissioners Cesnik, Carlson, and Anderson, and Alternate Commissioners McDonald Black and Polzin; Education Committee: Commissioner Cesnik, and Alternate Commissioners Hauer and Vadali; TAC Liaison: Commissioner Welch for the upcoming meeting and Alternate Commissioner Polzin as alternate. Commissioner Carlson seconded the motion. Upon a roll call vote, the motion carried 6-0, with the cities of Minneapolis, Minnetonka, and St. Louis Park absent from the vote.

E. Review Year-End Financial Report (February 1, 2021 – January 31, 2022)

Administrator Jester explained the year-end financial report, noting it was a very busy year. Although over budget in some areas, and under in others, the total revenue was \$686,700 and the total expenses were \$672,800. Additional revenue of \$22,000 is expected from reimbursements and cost share. It was not necessary to use the fund balance to balance the budget. Administrator Jester was commended for her work. She explained that this was a team effort. She hopes that 2022 will provide similar results.

6. BUSINESS

A. Consider Approval of 50% Design Plans for Medley Park Stormwater Treatment Facility (ML-12)

Commission Engineer Chandler introduced Katie Turpin-Nagel. Engineer Turpin-Nagel gave an overview of the project, background information, project outcomes, and next steps. She noted the project will improve water quality in Medicine Lake and reduce flooding potential of nearby structures. Project components include expanding Medley Pond, creating two new open water ponds with wetland fringe, and establishing native vegetation. She noted that input was gathered from neighborhood residents, Golden Valley staff and commissions, and the BCWMC. She compared the outcomes from the feasibility study with the outcomes determined from the 50% designs and noted minor differences in pollutant removals and estimated costs. The estimated project cost is approximately \$2 million, with funds of \$1.2 million from the BCWMC CIP in 2022 and 2023; \$500,000 from the City of Golden Valley, and \$300,000 from a BWSR Clean Water Fund grant. The next phase of the design process will focus on restoration and necessary permitting.

Commissioner Welch stated that this was a nice presentation and that he appreciated the work. He asked for confirmation that Medley Pond is not a public water. Engineer Turpin-Nagel confirmed that the pond is not an MnDNR public water. Commissioner Welch noted it is important to do everything we can for Medicine Lake, and that \$3,800 per pound for phosphorus removal is on the low end. He also stated that Ramsey-Washington Metro Watershed District (RWMWD) developed a spectrum graph that shows phosphorus removal costs. The BCWMC should look into developing a tool like this. Engineer Turpin-Nagel stated that she is familiar with the RWMWD graph and that this type of tool helps with prioritizing projects.

Commissioner Carlson asked about street sweeping that is being implemented in the city of Golden Valley. Golden Valley TAC Member Eric Eckman responded that street sweeping is done on the public streets surrounding the project area. There are private streets in the contributing watershed that were constructed before stormwater maintenance agreements were developed. The subwatershed also includes New Hope city streets and a county road. The city does not have authority to enforce street sweeping on private roads and has no control over sweeping on New Hope streets or the county road.

Commissioner Carlson asked if the amount of phosphorus entering the system was as great as what was modeled since street sweeping is being implemented. Golden Valley TAC Member Eric Eckman replied they are getting great

results using the city's sweeper in a targeted, measurable approach. The city of Golden Valley will be replacing their sweeper with a newer, more efficient (regenerative air) machine. It was his opinion that removing as much sediment and potential pollutants as possible would make those systems last longer with less maintenance and there would be positive benefits downstream. Engineer Turpin-Nagel stated that doing more to remove sediment and nutrients from the streets equates to a longer lifespan for projects. Overall, it is positive to have more street sweeping.

MOTION: Commissioner Carlson moved to approve the 50% design plans for Medley Park Stormwater Treatment Facility and authorized the city to proceed with 90% designs. Alternate Commissioner McDonald Black seconded the motion. Upon a roll call vote, the motion carried 7-0, with the cities of Minnetonka and St. Louis Park absent from the vote.

B. Consider Approval of Funding Bryn Mawr Meadows Water Quality Treatment Project

Administrator Jester explained that the BCWMC approved the 50% design plans for this project and directed her to develop options for funding the project given the \$580,000 gap between CIP funds budgeted and the current estimated construction costs. She presented two funding options. Since she put together the options, she has been made aware that bids for other construction projects have been higher than anticipated, which is further impacting this project's estimated costs. She also heard from the City of Golden Valley that proposed shifts in the levy years for the SEA School-Wildwood Park Project may be problematic. It was recognized that this is a complicated issue, with many moving parts. She recommended Option 1 because it allows more leeway if future CIP projects are more expensive than anticipated. Option 2 would increase the levy for this project in addition to future levies likely being higher than projected for future CIP projects.

Commissioners discussed the options. Alternate Commissioner McDonald Black thought that Option 2 would be a better reflection of the cost of implementing projects. Chair Cesnik asked that because we will need to increase the levy at some point, that we work within the \$500,000 now so we don't have to raise the levy twice. Administrator Jester responded that was correct. She still recommended saving the \$500,000 rather than raising the levy.

Commissioner Welch was inclined to go with Administrator Jester's recommendation because she manages the budgets. Administrator Jester said that Option 1 does give flexibility. For 2023, the \$1.09 million estimate for the Bryn Mawr project may be low, even compared to figures that could be provided next month. The City of Golden Valley also needs to be brought into this discussion regarding levy years for their current projects.

Commissioner Welch asked that if funds need to be moved and the project numbers are going to change, does it make sense for us to choose an option now. Choices have been presented, but they are likely to change. It may be better to wait until a discussion with the City of Golden Valley has been held.

Commission Engineer Chandler stated that there may be another option between these. Administrator Jester's worry is that costs will continue to increase. The commissioners are wondering why she is not recommending Option 2. Perhaps a compromise would be to remove "open space for additional projects" from Option 2.

Commissioners discussed availability of funding for current and future projects. Moving funds changes the project start date and potentially asks the cities to carry more costs. Alternate Commissioner McDonald Black said that Administrator Jester has done a good job of tightening our budget. There used to be more extra money built in. Without the extra funds, there is less flexibility to take on future projects.

Chair Cesnik said that every number is changing. She is not understanding the levy option. Why is that not a preferred option in an era of rising costs? Shouldn't we be levying more funds? Unless we are going to lose the \$500,000, why not raise the levy?

Commissioner Welch was concerned about increasing costs with the Bryn Mawr project. We need the most accurate financial information possible. They are working on a sewer project right now. Perhaps that will give a better understanding of environmental conditions. Minneapolis TAC Member Liz Stout responded that they would be happy to share soils information and construction challenges from the sewer project. It would be good to have a frank conversation and make sure we are taking into account all of the variables. Engineer Stephanie Johnson stated that the Bryn Mawr design team is actively talking to city staff about this. Barr Engineering is working as the environmental consultant for the sanitary sewer project. They will figure out what is happening as the project is developing.

Administrator Jester will bring both options, with firmer numbers, to the March meeting.

[A 5-minute break was called by Chair Cesnik. The meeting resumed at 10:27 a.m.]

Chair Cesnik stated that part of her confusion with the Bryn Mawr options was the levy process overall. What is the timing for going to the county, only once a year? More than once? Maybe a primer on that would be worthwhile. She also asked if we should be looking at some sort of review of our CIP estimated costs? Would it be prudent to assume a 5% or 10% increase to all our costs given how rapidly they are increasing? How do we make sure that this doesn't keep happening? Administrator Jester replied that those are great questions. She will give an overview of the levy process next month. She also had the same questions about whether to have a percentage increase for the CIP costs or to continue to work through the feasibility process. The differences between costs presented in feasibility studies vs. at the design phase have increased. She will discuss this with the engineers and bring a recommendation next month.

C. Consider Approval of Scope and Budget for 2025 WMP Development

Administrator Jester explained that the BCWMC reviewed and discussed the draft scope and budget for development of the 2025 WMP at the January meeting. Based on that discussion, the scope was revised. This scope assumes that the commissioners are leading the plan development, providing primary input for the process and content, and have decision authority. Input will be obtained from communities and partnerships that are instrumental in implementing the plan. It will be necessary to create a Plan Steering Committee which could be the BCWMC as a whole or a subcommittee. Developing the scope and budget was a team effort with Barr Engineering staff.

Commissioner Welch stated that it was good that the team added the early issue identification and brainstorming session. The BCWMC needs to understand the process and how we fit into the cities and counties. He recommended that the Plan Steering Committee (PSC) be a committee of the whole to include all commissioners and alternates.

Administrator Jester stated that perhaps in the initial phases, the PSC could be the BCWMC as a whole. Once we are working on pieces of the plan, it could be a smaller committee. Alternate Commissioner McDonald Black wondered if there were ways to divide and conquer. The BCWMC will want to hear from a broad range of people. As we expand the role of the commissioner and the time it takes, how many people are able to make that time commitment? Perhaps we could separate into groups that can take over part of this and report to the whole. This could more than double the work of the BCWMC.

Administrator Jester explained that gathering information from diverse communities will be the work of individual commissioners, perhaps an intern, and the engineers. There will be specific events held for gathering information. The PSC, even as a committee of the whole, would likely require only two or three meetings over the next 12 to 18 months.

Commission Engineer Chandler stated that she thought it would be workable for the PSC to be a committee of the whole for the first few meetings. During those meetings, the commissioners would make a concerted effort to attend. Later in the process, a smaller committee could be formed that would pay more attention to details. This process would address the time commitment concerns. Any commissioner could attend the PSC meetings, even if a smaller committee is formed.

All committee meetings will be open to the public and subject to the open meeting law. Notice for a special meeting is three days. Setting a meeting schedule will allow for less work in the noticing process.

Chair Cesnik stated that the PSC would consist of the BCWMC as a whole, commissioners and alternates only, and that they would break off into committees and subcommittees as the process unfolds.

MOTION: Commissioner Welch moved to approve the scope and budget for 2025 WMP development with such minor changes as determined by Administrator Jester and directing her to bring the final scope and budget as an information item to the March meeting. Alternate Commissioner McDonald Black seconded the motion.

Discussion: Commissioner Welch stated that he understands that the WMP update process will require a time commitment. It is important for the BCWMC to understand what we are doing for the next ten years. Chair Cesnik said that the scope is incredible, well done, and the estimates are on budget.

Upon a roll call vote, the motion carried 7-0, with the cities of Minnetonka and St. Louis Park absent from the vote.

Administrator Jester reminded the BCWMC that the Equity in Watershed Management Workshop will be held on

April 25 from 6:00 p.m. to 8:00 p.m. This will be an in-person event. She asked the commissioners if their preference for future Committee of the Whole (PSC) workshops was daytime or evening. The majority response was daytime.

D. Review Bassett Creek Main Stem Erosion Repair Project Final Report (2017CR-M)

Minneapolis TAC Member Liz Stout gave a PowerPoint presentation on the Bassett Creek Erosion Repair Project. The presentation covered background, the stabilization methods used, project funding, before, during, and after photos of the project, and challenges encountered including permitting, landowner agreements, and contamination. She encouraged the commissioners to review the final report.

E. Consider Approval of Reimbursement Request for Bassett Creek Main Stem Erosion Repair Project (2017CR-M)

This project is complete, other than vegetation establishment. There will be one more payment request once vegetation management is complete. Administrator Jester noted she reviewed the reimbursement request documentation and recommended approval of payment.

MOTION: Commissioner Welch moved to approve the reimbursement request for the Bassett Creek Main Stem Erosion Repair Project. Alternate Commissioner McDonald Black seconded the motion. Upon a roll call vote, the motion carried 7-0, with the cities of Minnetonka and St. Louis Park absent from the vote.

F. Consider Request from City of Medicine Lake for Analysis of Alternatives to Jevne Park CIP Project

Commissioner Carlson said that the Jevne Park CIP Project was put on hold because the City of Medicine Lake did not approve it. They are moving ahead with city water and sewer and road reconstruction. He would like to have the Commission Engineer's assistance to help determine best management practices (BMPs) that could be implemented as an alternative to the original Jevne Park Project and perhaps in conjunction with the road reconstruction.

Medicine Lake TAC Member Susan Wiese explained the extensive feasibility study for the Jevne Park Project. The project was designed to reduce stormwater runoff in Jevne Park and City of Medicine Lake. They learned that the major road is 50 years old, as are the city sewer and lift station. The needed improvements are estimated to cost \$6 million. The city is moving forward to the 90% design stage for the city's infrastructure project and final designs are being reviewed. Bids have been advertised for city water. The lift station funding has been secured. Those two pieces are slated for construction this summer and into the fall. Reconstruction of the major road and two other streets and avenues will be done next year. The design firm's presentation about the elements of the infrastructure project is on their website. In this process, the city has been talking about better stormwater management: shoreline buffer improvements, rain gardens, and a robust street sweeping schedule. Winter time salt use has not been reviewed. The city needs to know if that analysis should be done.

Chair Cesnik stated that the BCWMC will discuss reallocation of the Jevne Park funds at next month's meeting.

Commissioner Carlson said that analyses of alternatives to the Jevne Park project could be done in phases. The city would like an overview by the Commission Engineer to see what the opportunities are. It could start with a high-level view for a nominal amount. A more detailed analysis and report would likely cost \$35,000 to \$40,000.

MOTION: Commissioner Carlson made a motion to direct the Commission Engineer to perform a high level look at possible opportunities for alternatives to the Jevne Park Project. This was seconded by Alternate Commissioner Crough.

Alternate Commissioner McDonald Black asked if BMPs installed during road reconstruction were typically done by cities. Commissioner Carlson said that the city sees this as a continuation of the work the Commission has been doing on the CIP project. Medicine Lake TAC Member Susan Wiese stated that in the current 90% design plans, SEH has looked at drainage. She wondered if Barr Engineering staff could look at those plans and help them understand the best course to take with regards to improving stormwater management.

Alternate Commissioner McDonald Black asked to hear whether this is typically a service we provide to cities. Administrator Jester said that the request is an extension of a feasibility study that was already done. We haven't been in this arena before, but she did not think it was an inappropriate use of funds.

Commission Engineer Chandler stated that the road reconstruction project is currently being reviewed. The analysis estimate provided by the Commission Engineer of \$35,000 - \$40,000 was not a firm cost and they only looked at shoreline buffers, rain gardens, and street sweeping to reduce phosphorus. The chloride piece does not lend itself to a CIP project. She would be more comfortable providing a firm scope, schedule, and budget.

Commissioner Welch said that he could not support this. He appreciated the work done by the Medicine Lake

commissioners. He believed a detailed scope and budget were necessary. Chair Cesnik and Alternate Commissioner McDonald Black also agreed that it was premature to approve \$35,000 without a scope and budget.

Commissioner Carlson responded that the Commission Engineer encouraged the city to be proactive with BMPs. This is the perfect time to look at the opportunities that may be available. He wanted to take advantage of working together in communication so good opportunities in the watershed aren't missed.

Commission Engineer Chandler replied that the BCWMC does encourage cities to incorporate BMPs for water quality treatment in road projects with their own funds. She was troubled by the thought of using CIP money for BMPs constructed in conjunction with road reconstruction projects.

Chair Cesnik stated that her vote would probably be no for approval of funds. She would support some informal work on this to further enhance the scope and working with the attorney to determine if this would be an appropriate use of funds. This doesn't mean that the project would be denied, but that it would come back in March with more detailed information to be considered.

Commissioner Carlson said that it is important to keep the Commission Engineer engaged in helping determine alternatives. We need to compensate them to develop alternatives for the Jevne Park Project.

MOTION: Commissioner Carlson made a motion to amend the motion to include a \$5,000 budget for the Commission Engineer to provide a high-level analysis. This was seconded by Alternate Commissioner Crough.

Commissioner Carlson explained that the city is trying to determine if attributes from the Jevne Project can be used or saved for this project. Commission Attorney Anderson said that he was not certain where the money for this is coming from or whether it could be viewed as an extension or supplement to the CIP project. He would need to look into this further.

Commission Engineer Chandler stated that it was her understanding that there weren't any parts of the Jevne Park project that would be analyzed. Administrator Jester agreed. More clarity is needed to understand if the \$5,000 would come from the CIP or from technical services.

[Commissioner Anderson departs meeting at 11:49 a.m.]

Upon a roll call vote, the amendment to the motion carried 6-0, with the cities of Crystal, Minnetonka, and St. Louis Park absent from the vote.

Upon a roll call vote, the motion as amended failed on a vote of 5-1, with the city of Medicine Lake in favor and the cities of Golden Valley, Minneapolis, New Hope, Plymouth, and Robbinsdale opposed, and the cities of Crystal, Minnetonka, and St. Louis Park absent from the vote.

Chair Cesnik stated she is supportive of trying to figure out how to move forward. It is premature to allocate funding without a clear scope of work and understanding of the project.

7. COMMUNICATIONS

- A. Administrator's Report
 - i. Reminder to Submit Conflict of Interest Statements
 - ii. Equity in Watershed Management Workshop Update – provided earlier
 - iii. Update on Discussions with Minneapolis on Tunnel Responsibilities – discussions continuing
 - iv. Grant Application to MnDNR for AIS Control & Medicine Lake Vegetation Management Plan – grant application submitted, working with Three Rivers Park District (TRPD) on developing vegetation management plan, working with MnDNR and AMLAC on grant for innovative control of starry stonewort
 - v. Criteria for Returning to In-Person Meetings – most metro watersheds remain online with no plans or criteria for returning to in-person meetings
 - vi. Limited Liability Legislation for Chloride – legislation is moving through committees; will send MCEA fact sheet to commissioners
- B. Chair - None
- C. Commissioners – Commissioner Welch reported that the MAWD's Legislative Briefing and Day at Capitol will be a two-day event. A subgroup of MAWD has taken up Diversity, Equity, and Inclusion. The first meeting is next week. He will attend. Nine Mile Creek WD approved its AIS plan based on work done by BCWMC.
- D. TAC Members – None

- E. Committees – None
- F. Legal Counsel – None
- G. Engineer
 - i. Update on North Green Loop Development, Minneapolis – Commission Engineer Chandler reported that the project is winding down. They have received the anticipated final agreement and there are no issues with vibration monitoring.
 - ii. MN Stormwater Manual Updated with Manufactured Treatment Devices (MTD) Credits & Guidance – BCWMC requested MPCA to setup a working group that includes commission staff and engineers; MPCA followed through. See thank you letter in packet.

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 Notice, Plymouth
- E. Letters to MPCA on MTD Work

7. ADJOURNMENT

MOTION: Commissioner Gwin-Lenth made a motion to adjourn the meeting at 12:02 p.m. Commissioner Welch seconded the motion. Upon a roll call vote, the amendment to the motion carried 6-0, with the cities of Crystal, Minnetonka, and St. Louis Park absent from the vote.