



Bassett Creek Watershed Management Commission

Regular Meeting

8:30 – 11:00 a.m.

Thursday, March 19, 2015

Council Conference Room, Golden Valley City Hall, 7800 Golden Valley Rd., Golden Valley MN

AGENDA

1. CALL TO ORDER and ROLL CALL

2. **CITIZEN FORUM ON NON-AGENDA ITEMS** - *Citizens may address the Commission about any item not contained on the regular agenda. A maximum of 15 minutes is allowed for the Forum. If the full 15 minutes are not needed for the Forum, the Commission will continue with the agenda. The Commission will take no official action on items discussed at the Forum, with the exception of referral to staff or a Commissions Committee for a recommendation to be brought back to the Commission for discussion/action.*

3. APPROVAL OF AGENDA

4. CONSENT AGENDA

- A. Approval of Minutes - February 19, 2015 Commission Meeting
- B. Approval of Revised FY2014 Year End Financial Report (Feb 1, 2014 – Jan 31, 2015)
- C. Approval of March 2015 Financial Report
- D. Approval of Payment of Invoices
 - i. Keystone Waters, LLC – February 2015 Administrator Services
 - ii. Barr Engineering – February 2015 Engineering Services
 - iii. Amy Herbert – February 2015 Secretarial Services
 - iv. ACE Catering – March 2015 Meeting Refreshments
 - v. Wenck – February 2015 WOMP Monitoring
 - vi. Hamline University – Metro Watershed Partnership 2015 Media Campaign Donation
 - vii. ECM Publishers – Public Notice Publication
 - viii. MMKR – Financial Audit
- E. Approval to Execute Agreement with Hennepin County for 2015 River Watch Program Pending Approval by Commission Legal Counsel
- F. Appointment of Commissioner Ginny Black to Budget Committee and Administrative Services Committee
- G. Set Public Hearing on 2015 BCWMC Watershed Management Plan for May 21, 2015
- H. Set TAC Meeting for April 2, 2015

5. PUBLIC HEARING

- A. Receive Comments from Public on Major Plan Amendment
 - i. Revising the Northwood Lake Water Quality Improvement Project (NL-1) in the Capital Improvement Program (CIP) from the construction of two stormwater ponds (NB-35A,B,C and NB-29A,B) to the construction of one pond just upstream (west) of Northwood Lake and the construction of a stormwater reuse system with bioretention basins in Northwood Park near the east end of the lake
 - ii. Adding to the CIP the Honeywell Pond Expansion Project (BC-4) to provide stormwater quantity and water quality improvements, divert currently untreated stormwater to the pond, and provide opportunities for reuse of water from the pond.

6. BUSINESS

- A. Receive Update on Comments and Responses for Draft Watershed Management Plan
- B. Consider Approval of 50% Design Plans for 2015 Main Stem Restoration Project (CR2015)
- C. Consider Approval of Twin Lake In-Lake Alum Treatment Project Plans (TW-2)

- D. Consider Approval of Technical Advisory Committee Recommendations
 - i. 2017 – 2021 Capital Improvement Program
 - ii. XP-SWMM Phase II
 - iii. Communication Protocols Among Commission, Cities, and Developers
- E. Consider Approval of Education Committee Recommendations
 - i. Approval of 2015 Education and Outreach Budget and Work Plan
 - ii. Approval to Execute Contract with University of Minnesota to Participate in 2015 Non-point Education for Municipal Officials (NEMO) Program Pending Approval by Commission Legal Counsel
 - iii. Approval to Develop and Execute Contract with HDR for Website Redesign Project

7. COMMUNICATIONS

- A. Administrator’s Report
- B. Chair
- C. Commissioners
 - i. Report on Road Salt Symposium, Commissioner Tobelmann
- D. TAC Members
- E. Committees
- F. Legal Counsel
- G. Engineer

8. INFORMATION ONLY (Information online only)

- A. CIP Project Update Chart
- B. Grant Tracking Summary and Spreadsheet
- C. Metro WaterShed Partners and Clean Water MN 2014 Report

9. ADJOURNMENT

Upcoming Meetings

- Plan Steering Committee Meeting Thursday March 19th at 4:30 – 6:30 p.m., Golden Valley City Hall
- April Commission Meeting, Thursday April 16 19th, 8:30 a.m., Golden Valley City Hall
- Twin Lake Alum Treatment Public Info Meeting, Thurs March 19th, 6:00 p.m., Golden Valley City Hall
- Plan Steering Committee Meeting Monday March 23rd at 4:30 – 6:30 p.m., Golden Valley City Hall
- Plymouth Home Expo Friday (6-9 p.m.) & Saturday (9 a.m. – 1 p.m.) April 10 – 11, Plymouth Creek Center

Future Commission Agenda Items list

- Address Organizational Efficiencies
- Finalize Commission policies (fiscal, data practices, records retention, roles and responsibilities, etc.)
- Presentation on joint City of Minnetonka/ UMN community project on storm water mgmt
- State of the River Presentation
- Presentation on chlorides

Future TAC Agenda Items List

- Develop guidelines for annualized cost per pound pollutant removal for future CIP projects
- Stream identification signs at road crossings
- Look into implementing “phosphorus-budgeting” in the watershed – allow “x” pounds of TP/acre.



Bassett Creek Watershed Management Commission

AGENDA MEMO

Date: March 11, 2015

To: BCWMC Commissioners

From: Laura Jester, Administrator

RE: Background Information for 3/19/15 BCWMC Meeting

1. **CALL TO ORDER and ROLL CALL**
2. **CITIZEN FORUM ON NON-AGENDA ITEMS**
3. **APPROVAL OF AGENDA – ACTION ITEM**
4. **CONSENT AGENDA**
 - A. Approval of Minutes – February 19, 2015 Commission meeting- **ACTION ITEM with attachment**
 - B. Approval of Revised FY2014 Year End Financial Report (Feb 1, 2014 – Jan 31, 2015) – ACTION ITEM with attachment – *Report was revised to reflect resolution at February meeting to transfer \$17,000 from the Long Term Maintenance Fund to the Administrative Fund to cover the costs of Flood Control Project Inspections in 2014.*
 - C. Approval of March 2015 Financial Report - ACTION ITEM with attachment
 - D. Approval of Payment of Invoices - ACTION ITEM with attachments
 - i. Keystone Waters, LLC – February 2015 Administrator Services
 - ii. Barr Engineering – February 2015 Engineering Services
 - iii. Amy Herbert – February 2015 Secretarial Services
 - iv. ACE Catering – March 2015 Meeting Refreshments
 - v. Wenck – February 2015 WOMP Monitoring
 - vi. Hamline University – Metro Watershed Partnership 2015 Media Campaign Donation
 - vii. ECM Publishers – Public Notice Publication
 - viii. MMKR – Financial Audit
 - E. Approval to Execute Agreement with Hennepin County for 2015 River Watch Program Pending Approval by Commission Legal Counsel – ACTION ITEM with attachment - *A new agreement with Hennepin County is needed for participation in the River Watch program in 2015. Commission legal counsel recommends a change to some provisions in the agreement. Staff recommends approval to execute the agreement upon approval by Commission legal counsel. The 2014 River Watch Report was included with the February meeting materials: <http://www.bassettcreekwmo.org/Meetings/2015/2015-February/8D-2014RiverWatchReport.pdf>*
 - F. Appointment of Commissioner Ginny Black to Budget Committee and Administrative Services Committee – ACTION ITEM no attachment – *At the February meeting, the Commission took action to appoint Commissioners, Alternate Commissioners and others to Commission committees. Commissioner Black was not in attendance but has since communicated to me that she would like to stay on the Budget and Administrative Services Committees.*
 - G. Set Public Hearing on 2015 BCWMC Watershed Management Plan for May 21, 2015 – ACTION ITEM no attachment – *After working with the Plan Steering Committee at two upcoming meetings, staff plans to bring draft responses to comments on the Plan to the April Commission meeting. Once responses are approved and distributed to review agencies, the Commission should hold a public hearing on the draft Plan.*
 - H. Set TAC Meeting for April 2, 2015 – ACTION ITEM no attachment – *Staff recommends that the TAC meet on April 2nd to begin reviewing revisions to the Commission's Requirements Document which are needed to align the document with the policies in the draft Plan.*

5. PUBLIC HEARING

- A. Receive Comments from Public on Major Plan Amendment
- i. Revising the Northwood Lake Water Quality Improvement Project (NL-1) in the Capital Improvement Program (CIP) from the construction of two stormwater ponds (NB-35A,B,C and NB-29A,B) to the construction of one pond just upstream (west) of Northwood Lake and the construction of a stormwater reuse system with bioretention basins in Northwood Park near the east end of the lake
 - ii. Adding to the CIP the Honeywell Pond Expansion Project (BC-4) to provide stormwater quantity and water quality improvements, divert currently untreated stormwater to the pond, and provide opportunities for reuse of water from the pond.

On 12/1/14 the Commission requested a Major Plan Amendment to add these projects to the 2004 Watershed Management Plan. (Further information and documents on the proposed Amendment can be found at <http://www.bassettcreekwmo.org/PlanAmendments/PlanAmendmentHome.htm> .) The public hearing will be opened and the public will be asked for comments on the proposed major plan amendment. All comments will be entered into the public record. The hearing will then be closed before proceeding with further Commission business.

6. BUSINESS

- A. Receive Update on Comments and Responses for Draft Watershed Management Plan – **INFORMATION ITEM no attachment** – *The Plan Steering Committee meets on March 12 (and March 23) to discuss possible responses to comments received on the draft Plan. The committee members and I will give a verbal update on progress and a timeline moving forward.*
- B. Consider Approval of 50% Design Plans for 2015 Main Stem Restoration Project (CR2015) – **ACTION ITEM with attachments** – *At the October 2014 meeting, the Commission approved an agreement with the City of Golden Valley to design and construct this project. The City's consultant, WSB, drafted the attached 50% plans based on the feasibility study, additional field evaluation, and extensive input from property owners adjacent to the stream. The plans were reviewed by the Commission Engineer. Staff recommends conditional approval of the 50% plans based on comments in the attached memo. WSB and city staff will be at the meeting to describe the plans and answer questions.*
- C. Consider Approval of Twin Lake In-Lake Alum Treatment Project Plans (TW-2) – **ACTION ITEM with attachment** – *At the November 2014 meeting the Commission approved an agreement with the City of Golden Valley to implement this project. The City and Commission are hosting a public information meeting on March 19 to discuss the project and answer questions. The attached project fact sheet was mailed to Twin and Sweeney residents on February 27th. The alum dosing specifications are also attached. Staff recommends approving these specifications and, barring no significant concerns or opposition at the public meeting, staff recommends directing the city to finalize the specifications and solicit bids for the project.*
- D. Consider Approval of Technical Advisory Committee Recommendations – **ACTION ITEM with attachments** – *The TAC met on March 5th and forwards recommendations to the Commission regarding the 2017 – 2021 Capital Improvement Program (CIP) list, the XP-SWMM Phase II project, and Commission communications. Please see the "recommendations" sections of the attached TAC memo my notes below.*
- i. 2017 – 2021 Capital Improvement Program –attachment – *The proposed 2017 – 2021 CIP list and project fact sheets are attached. The Commission can approve this CIP list now, or if more information or refinement is needed, the Commission can approve the CIP list at the April meeting.*

- ii. XP-SWMM Phase II – no attachment – *The Commission and TAC previously discussed this project at several meetings in late 2013 and early 2014. Although the TAC originally recommended moving forward with development of a phase II project, several questions arose and the Commission ultimately decided not to pursue the project at the time. The TAC is again recommending that the Commission complete this project would like the project to being this year with funding from the Commission’s Flood Control Project Long Term Maintenance Account. Staff recommends requesting a new project scope, timeline, and budget from the Commission Engineer for consideration at the April meeting.*
 - iii. Communication Protocols Among Commission, Cities, and Developers – no attachment – *Commission and city staff continue to refine and streamline communications to improve efficiency.*
- E. Consider Approval of Education Committee Recommendations – *The Education Committee met on March 9th and forwards the following recommendations for Commission consideration.*
- i. Approval of 2015 Education and Outreach Budget and Work Plan – ACTION ITEM with attachment – *The committee recommends the budget items and activities included in the attached spreadsheet including new education spending to support the Freshwater Society’s Water Stewardship Program and reimbursement of training registration fees for Commissioners, Alternate Commissioners and committee members. Staff recommends approving this budget and work plan.*
 - ii. Approval to Execute Contract with University of Minnesota to Participate in 2015 Non-point Education for Municipal Officials (NEMO) Program Pending Approval by Commission Legal Counsel – ACTION ITEM with attachment – *The Education Committee recommends that the Commission again provide support and participate in the NEMO Program this year at a funding level of \$750 and my time to help plan, promote, and attend the workshops. Staff recommends approving execution of the contract once the Commission’s legal counsel approves the contract with the University.*
 - iii. Approval to Develop and Execute Contract with HDR for Website Redesign Project – ACTION ITEM with attachment – *The Commission received four proposals for redesign of its website (from Windmill Design, WSI Digital Marketing, Schmitt Creative, and HDR). The committee reviewed, compared, and discussed the proposals considering costs, levels of training to Commission staff, content management systems used, and completed websites for other clients. The committee recommends that the Commission contract with HDR due to their past experience designing websites for other watershed organizations. Staff has since checked HDR’s references – they come very highly recommended by other watersheds for multiple reasons.*

7. COMMUNICATIONS

- A. Administrator’s Report – **INFORMATION ONLY with attachment**
- B. Chair
- C. Commissioners
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- D. TAC Members
- E. Committees
- F. Legal Counsel
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Bassett Creek Watershed Management Commission

Minutes of Regular Meeting February 19, 2015 Golden Valley City Hall, 8:30 a.m.

Commissioners and Staff Present:

Crystal	Commissioner Guy Mueller, Vice Chair	Robbinsdale	Michael Scanlan, Alternate Commissioner
Golden Valley	Commissioner Stacy Hoschka, Treasurer	St. Louis Park	Commissioner Jim de Lambert, Chair
Medicine Lake	Commissioner Clint Carlson	Administrator	Laura Jester
Minneapolis	Commissioner Michael Welch	Attorney	Charlie LeFevere, Kennedy & Graven
Minnetonka	Commissioner Jacob Millner	Engineer	Karen Chandler, Barr Engineering Co.
New Hope	Alternate Commissioner Pat Crough	Recorder	Amy Herbert
Plymouth	Alternate Commissioner David Tobelmann		

Technical Advisory Committee (TAC) Members/ Other Attendees Present:

Derek Asche, TAC, City of Plymouth	Richard McCoy, TAC, City of Robbinsdale
Marge Beard, Plymouth City Council	Jane McDonald Black, Alternate Commissioner, City of Golden Valley
Erick Francis, TAC, City of St. Louis Park	Jeff Oliver, TAC, City of Golden Valley
Christopher Gise, Golden Valley Resident	Bob Paschke, TAC, City of New Hope
Jere Gwin-Lenth, Friends of Northwood Lake	Jim Prom, Plymouth City Council
Gary Holter, Alternate Commissioner, City of Medicine Lake	Jim Renneberg, City of Plymouth
Chris Long, TAC, City of New Hope	Liz Stout, TAC, City of Minnetonka
Linda Loomis, Chair, Plan Steering Cmttee	Robert White, New Hope Resident

1. CALL TO ORDER AND ROLL CALL

On Thursday, February 19, 2015, at 8:30 a.m. in the Council Conference room at Golden Valley City Hall, Chair de Lambert called to order the meeting of the Bassett Creek Watershed Management Commission (BCWMC) and

asked for roll call to be taken. The Cities of Minneapolis, Minnetonka, and Plymouth were absent from the roll call.

2. CITIZEN FORUM ON NON-AGENDA ITEMS

No items were raised.

3. AGENDA

Administrator Jester requested the addition to the agenda of a resolution to transfer funds to the BCWMC's Administrative fund from its Long-term Maintenance fund. Chair de Lambert added the item to the Business agenda. Commissioner Mueller moved to approve the agenda as amended. Alternate Commissioner Scanlan seconded the motion. Upon a vote, the motion carried 6-0 [City of Plymouth absent from vote].

[Commissioner Millner, Minnetonka, and Commissioner Welch, Minneapolis, arrive at 8:36 a.m.]

4. CONSENT AGENDA

Commissioner Welch asked for item 4L – Approval of Vicksburg Lane Reconstruction to be pulled from the Consent Agenda. Chair de Lambert pulled the item from the Consent Agenda and added it to the Business agenda. Alternate Commissioner Scanlan moved to approve the Consent Agenda. Alternate Commissioner Crough seconded the motion. Upon a vote, the motion carried 8-0 [City of Plymouth absent from vote].

[The following items were approved as part of the Consent Agenda: the January 15, 2015, Commission Meeting minutes, the monthly financial report, the payment of the invoices, approval of Resolution 15-03 Designating Depositories for BCWMC Funds, Approval to Designate *Finance & Commerce* as the Official News Publication of the BCWMC, Approval of Agreement with Shingle Creek WMC for Participation of West Metro Water Alliance (WMWA), Approval of Reimbursement Request from Channel Maintenance Fund by City of Golden Valley, Approval to Set TAC Meeting for March 5, 2015, Order Preparation of 2014 Annual Report, Approval of Press Release on Bassett Creek Water Quality Monitoring Report, Approval to Execute Agreement with Metropolitan Council for Participation in 2015 Watershed Outlet Monitoring Program (WOMP) Pending Approval by BCWMC Legal Counsel].

The general and construction account balances reported in the Fiscal Year 2015 Financial Report prepared for the February 19, 2015, meeting are as follows:

Checking Account Balance	\$734,765.24
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TOTAL GENERAL FUND BALANCE	\$734,765.24
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TOTAL CASH & INVESTMENTS ON-HAND (2/11/15)	\$3,406,800.83
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CIP Projects Levied – Budget Remaining	(\$2,674,831.87)
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Closed Projects Remaining Balance	\$731,968.96
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2013 Anticipated Tax Levy Revenue	\$15,251.02
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2014 Anticipated Tax Levy Revenue	\$11,262.26
Anticipated Closed Project Balance	\$758,482.24

5. ORGANIZATIONAL MEETING

A. Appoint Officers

Chair de Lambert opened up the floor for nominations. Alternate Commissioner Crough moved to appoint the current slate of officers to continue in their roles. Commissioner Mueller seconded the motion. Upon a vote, the motion carried 7-0 [Cities of Minneapolis and Plymouth absent from vote].

B. Appoint Committee Members

i. Administrative Services Committee

Administrator Jester described the role of this committee. Commissioner Mueller moved to appoint Commissioners Mueller, Millner, and de Lambert, and Alternate Commissioners Crough, and Tobelmann to the Administrative Services Committee. Alternate Commissioner Crough seconded the motion. Upon a vote, the motion carried 8-0 [City of Plymouth absent from vote].

ii. Budget Committee

Administrator Jester described the role of this committee. Commissioner Millner moved to appoint Commissioners Mueller, Hoschka, Carlson, Millner, and de Lambert to the Budget Committee. Commissioner Welch seconded the motion. Upon a vote, the motion carried 8-0 [City of Plymouth absent from vote].

iii. Education Committee

Administrator Jester described the role of this committee; Chair de Lambert stressed the importance of this committee and volunteers for outreach events. Commissioner Mueller moved to appoint Commissioners Hoschka and Millner, Alternate Commissioners McDonald Black, Goddard, and Tobelmann, and former Commissioner Dan Johnson to the Education Committee. Alternate Commissioner Crough seconded the motion. Upon a vote, the motion carried 8-0 [City of Plymouth absent from vote]. [Later in the meeting Commissioner Welch said that heard from Alternate Commissioner Goddard that she does not want to be appointed to the Education Committee.] Administrator Jester was directed to contact former Commissioners Thornton and Langsdorf to find out their interest in participating on the committee or at outreach events.

iv. Next Generation Plan Steering Committee

Commissioner Welch moved to appoint Linda Loomis, Commissioners Mueller, Carlson, Welch, Black and Alternate Commissioners Goddard, Crough, and Tobelmann to the Next Generation Plan Steering Committee. Alternate Commissioner Michael Scanlan seconded the motion. Upon a vote, the motion carried 8-0 [City of Plymouth absent from vote]. Jim Prom requested to be added to the email list for this committee's meeting notifications.

Administrator Jester was directed to contact Commissioners Ginny Black and Wayne Sicora regarding their desired committee appointments.

C. Review Year-End Financial Status and 2015 Budget

Administrator Jester summarized the BCWMC's fiscal year 2014 year-end financial status. She reported that the year ended with a surplus of \$20,000, including a \$10,000 surplus in the Commission's 2014 Engineering budget. Administrator Jester noted that later in the meeting the Commission will take action to transfer \$17,000 from its Long-term Maintenance account to its Administrative account, increasing the overall budget surplus to \$37,000.

Administrator Jester provided a brief review of the BCWMC's 2015 budget. She pointed out some differences in the format of the budget and noted the 2015 budget for website updates. Engineer Chandler asked about the line item listed as Watershed-wide P8 water quality model. She stated that the budget for the annual update of the P8 water quality model is included in the TMDL implementation reporting budget. Administrator Jester said she will ask the Deputy Treasurer to remove the Watershed-wide P8 water quality model line item from the financial report. Commissioner Welch requested that the line item be included as a footnote. There was a short discussion about the budget for digitizing the Commission's files.

Commissioner Welch requested that the Plan Steering Committee add to its agenda a discussion of any engineering gaps in the Next Generation Plan. He explained that he thinks the Commission did very little analysis of watershed needs and assessment of status and prioritization. Commissioner Welch said that in light of funds remaining in the Commission's Next Generation Plan budget, there should be a Committee discussion of whether there are gaps that should be addressed.

D. Receive Overview of Open Meeting Law

Attorney LeFevere provided a detailed overview of the Open Meeting Law, described the legal penalties for violations of the Open Meeting Law, talked about the BCWMC's League of Minnesota Cities Insurance Trust coverage, and answered questions. He reminded the group to be cautious, practical, and transparent.

6. BUSINESS

A. Receive Update on Comments from 60-Day Review of Watershed Management Plan

Administrator Jester reported that the review period concluded in the end of January. She reported that the BCWMC received comments from the state agencies, the Minneapolis Park and Recreation Board, the Association of Medicine Lake Area Citizens (AMLAC), the City of Minneapolis, and the Plymouth Environmental Quality Commission. She said that the BCWMC received many commendations from state agencies. She said that the comments also indicated that the BCWMC needs more detail in its CIP, and she said that the TAC will discuss this. Administrator Jester said that there were a few questions about buffers and about a few policies.

Administrator Jester said that the Commission is required to respond to all comments and staff will work on preparing draft responses. She indicated the TAC and Plan Steering Committee would be meeting to discuss comments and appropriate responses. She said that the plan is to have the draft response to comments ready for the Commission to discuss at its April meeting. Administrator Jester explained that after the response to comments are sent out there needs to be a public hearing no sooner than 10-days after the response to comments are sent out. She said that the public hearing would likely be at the Commission's May meeting and then the Plan would go into the 90-day review. Administrator Jester pointed out that this timeline would mean that the Commission would meet its October 1, 2015, deadline for adopting its final plan and would be eligible to apply for Clean Water Fund grants.

B. Consider Approval of 90% Design Plans for Schaper Pond Diversion Project (SL-3)

Mr. Oliver provided background on the project. Engineer Chandler reminded the Commission that it approved the 50% design plans in December. She said that at today's meeting the City of Golden Valley is asking the Commission to approve the 90% design plans and to authorize the City to proceed with the project to construction. Using a PowerPoint presentation she walked the Commission through the project and the 90% design set. She mentioned that a change between the 50% design plans and the 90% design plans is that they no longer plan to remove part of the existing berm/dike that extends down from the north as it would have resulted in too many wetland impacts and therefore would be in violation of the Army Corps of Engineers general permit.

Engineer Chandler reported that the Minnesota Pollution Control Agency (MPCA) has communicated that it will accept this project as a reduction in wasteload allocation for the Sweeney Lake TMDL. She said that the permit applications have been submitted to the Department of Natural Resources for the public waters permit and the Wetland Conservation Act permit. She talked about the Army Corps of Engineers general permit and said that under the permit, the total wetland impacts, including temporary and permanent, need to be less than 2,000 square feet. She talked about obtaining city permits for erosion and sediment control and right-of-way.

Commissioner Mueller asked about maintenance requirements of the project. Engineer Chandler talked about annual inspections, cleaning out trash, the possibility that the bottom of the curtain would need to be dug out of bottom sediment, and pond dredging. Mr. Oliver responded that the City estimates that dredging would need to occur on a 10- to 15-year timeframe.

Mr. Oliver explained that the City is the property owner and will be talking to the Sweeney Lake residents and the public about this project as the project nears construction. Mr. Oliver said that he recommends that the next monitoring of Sweeney Lake take place in two years, and Engineer Chandler said that the next scheduled monitoring for Sweeney Lake is 2017.

Commissioner Hoschka moved to approve the 90% design plans and to authorize the City to move forward with construction. Alternate Commissioner Mueller seconded the motion. Upon a vote, the motion carried 8-0 [City of Plymouth absent from vote].

C. Receive Presentation on 2014 Twin and Sweeney Lake Monitoring Results

Engineer Chandler provided a detailed PowerPoint presentation on the results of the water quality monitoring that Barr Engineering did for Twin Lake and Sweeney Lake in 2014 on behalf of the BCWMC. She described the water quality parameters that were monitored and the biotic monitoring conducted. Engineer Chandler gave background information on the lakes including their size in acres, maximum depth, and littoral area.

Talking about Sweeney Lake, Engineer Chandler reported on the summer averages of phosphorous in different parts of the lake and compared those averages to the MPCA's/BCWMC's standards. She summarized that on average the water quality data for the north basin of the lake is better than the data for the south basin. She addressed the spikes in phosphorous and chlorophyll *a* levels during the summer. Engineer Chandler described Sweeney Lake's biota, noting that the lake has an average number of plant species and an average quality plant community. She reported that three invasive plant species were found including curlyleaf pondweed, purple loosestrife, and reed canary grass. Engineer Chandler summarized the results of the phytoplankton analysis and described how the algae blooms in Sweeney Lake were due to the phosphorous spikes. She reported there were blue-green algae blooms, including toxin-producing species, in June, July, and September and there were green algae blooms in August. Engineer Chandler also summarized the zooplankton results.

Engineer Chandler said that the Commission Engineer recommends the Commission continue monitoring this lake and that the next scheduled monitoring is in 2017, which is good timing due to the Schaper Pond project. She also said the Commission Engineer recommends continued implementation of the Sweeney Lake TMDL, including construction of Schaper Pond, other watershed projects, and in-lake alum treatment (after construction of Schaper Pond). Before implementing an in-lake alum treatment, the Commission Engineer recommends the Commission consider performing a study regarding the impact of the current aeration system on Sweeney Lake water quality.

Commissioner Welch asked if phosphorous reductions were being maximized when redevelopment occurs in the watershed of Sweeney Lake. Engineer Chandler responded yes and said that if the Schaper Pond improvements are successful the Commission will have reached enough of its watershed phosphorous load reductions for Sweeney Lake to go forward with an in-lake alum treatment. There was discussion, and Engineer Chandler responded to questions.

Talking about Twin Lake, Engineer Chandler provided background information on the lake, noting that the southern half of the lake is located in Wirth Park. She reported that the lake's summer average phosphorous met the BCWMC's standard. She pointed out that right after ice out the phosphorous levels in Twin Lake were 60 micrograms per liter (after spring mixing), but the summer average was 18 micrograms per liter.

Engineer Chandler provided information on chlorophyll a in the lake, transparency, and the lake's ecosystem/biota. She stated that the number of plant species in Twin Lake doubled from 12 in 1992 to 24 in 2014. She said that lake has an average quality plant community and coontail is the most prevalent plant species in the lake. Engineer Chandler reported that the lake has three invasive plant species: curlyleaf pondweed, purple loosestrife, and reed canary grass. No management of curlyleaf pondweed and reed canary grass beyond monitoring is needed, but management of purple loosestrife is recommended (the city or homeowners groups could consider releasing loosestrife eating beetles.). She said that the lake had relatively low numbers of algae in 2014 and healthy zooplankton. Engineer Chandler provided the Commission Engineer's recommendations for Twin Lake, including continued monitoring of the lake (the next scheduled monitoring is in 2017), in-lake alum treatment (to be completed in 2015), and control of purple loosestrife.

D. Review Results of Staff Performance Evaluations

Commissioner Mueller announced that the performance evaluations were summarized and the results are presented in the summary document that was distributed at the meeting. He described the evaluation process, the number of responses received, the evaluation results and comments, and the meetings with staff to review the results. Commissioner Welch commented that it would be helpful if Commissioner Mueller would delineate the results between commissioner responses and non-commissioner responses.

[Commissioner Millner departs the meeting at 10:55 a.m.]

E. Approval of Vicksburg Lane Reconstruction

Commissioner Welch said that the information provided by the Commission Engineer concludes that it doesn't appear this project entails work in wetlands and that the City of Plymouth is the Local Governmental Unit (LGU) for the Wetland Conservation Act. He said that it is his expectation that the Commission knows whether projects do or do not entail work in wetlands. Engineer Chandler stated that the Commission doesn't get involved in reviewing the wetland impacts because the City is the LGU, but from what the Commission Engineer did review, it does not appear that there are wetland impacts. Mr. Asche stated that the project has incidental wetland impacts comprised of impacts to wetlands in front of some culverts. He said that the City of Plymouth did notice the Commission of those impacts as part of the City's typical procedure. Engineer Chandler said that even though the Commission is not the LGU, the Commission Engineer can review such

projects in further detail for wetland impacts if the Commission wants. Commissioner Welch said yes, he would like that.

Commissioner Welch moved to approve the Vicksburg Lane Reconstruction. Alternate Commissioner Scanlan seconded the motion. Upon a vote, the motion carried 7-0 [Cities of Minnetonka and Plymouth absent from vote].

Commissioner Hoschka suggested that items that are pulled from the Consent Agenda be addressed immediately after the Consent Agenda.

F. Consider Approval of Technical Advisory Committee Recommendations

Erick Francis reported that the TAC recommends that the Commission continue with Barr Engineering as its Commission Engineer.

Commissioner Clint Carlson commented on an item reflected in the minutes from TAC meeting. He said that an issue was raised by the City of Golden Valley when Mr. Oliver was talking about the Blue Line and working with the Metropolitan Council. Mr. Carlson said that he thinks there is an opportunity to further the Commission's XP-SWMM model by leveraging cooperation with the Met Council and their modeling efforts in this area.

Commissioner Carlson said he emphasizes this because he would like the Met Council modeling to dovetail with any future Commission modeling. Commissioner Carlson stated that he would like to see the Commission indicate support of the partnership between the Commission and the Met Council and for the TAC to discuss this opportunity.

Commissioner Carlson moved that the Commission acknowledges support of a partnership with the Met Council to make best use of the opportunity arising from the Blue Line in terms of modeling that area. Alternate Commissioner Scanlan seconded the motion. Chair de Lambert said that the TAC is planning to discuss the XP-SWMM at its March meeting. Commissioner Welch remarked that previously the Commission acted to direct Jeff Oliver to communicate back to the Commission about this issue and to engage the Commission Engineer as necessary. He said that he hears Commissioner Carlson's motion as emphasizing the importance of that coordination and no further commitment of funding. Commissioner Carlson indicated consent. Upon a vote, the motion carried 6-0 [City of St. Louis Park abstained. Cities of Minnetonka and Plymouth absent from vote]. Chair de Lambert said he abstained and will wait for the TAC's recommendation at the next Commission meeting.

Alternate Commissioner Michael Scanlan moved to accept the TAC's recommendation of keeping Barr Engineering Company as the Commission Engineer. Alternate Commissioner Pat Crough seconded the motion. Commissioner Welch said that he is not going to vote on this motion if it is perceived to be contracting on a two-year contract with the Engineer because he doesn't think the Commission should do that without seeing the proposals. He said that he accepts the TAC recommendation. Attorney LeFevere said that this action is not a change in contract and is not a commitment for a two-year contract but is an action to not change anything. Upon a vote, the motion carried 6-1 [City of Minneapolis voted against the motion. Cities of Minnetonka and Plymouth absent from vote].

[Commissioner Hoschka departs the meeting at 11:32 a.m.]

G. Consider Clean Water Partnership Grant Application for Northwood Lake Improvement Project

i. Resolution to Submit Application

Administrator Jester explained that the City of New Hope did not receive a BWSR Clean Water Fund grant or Hennepin County grant for the Northwood Lake Improvement Project. She said that the Commission agreed to levy up to \$1.1 million for this project and the City of New Hope is contributing at least \$206,000 for the project. She stated that the Commission is hoping to secure grant funds to reduce the Commission's funding of the project. Administrator Jester reported that she has started an application for a Clean Water Partnership grant through the MPCA and is wondering if the Commission would like her to continue working on that application, which is due March 6. She said that it will take her some time to complete the application along with some work time from the Commission Engineer and the City Engineer. Commissioner Mueller moved to approve staff applying for the grant. Commissioner Carlson seconded the motion.

There was discussion. The Commission clarified that this Clean Water Partnership grant should be for the projects' Option A and Option C as a complete package. Chris Long added that the City of New Hope plans to reapply for the Clean Water Fund grant and the Hennepin County grant for this project but said it would be worth discussing whether the application should come from the City or the watershed. Administrator Jester agreed that this should be discussed before applying for those grants. Upon a vote, the motion carried 5-0 [Cities of Golden Valley, Minnetonka, Plymouth, and Robbinsdale absent from vote].

[Alternate Commissioner Scanlan departs the meeting at 11:35 a.m.]

H. Resolution 15-05 Transfer of Funds from Long-term Maintenance Fund to Administrative Fund

Administrator Jester summarized that Resolution 15-05 authorizes the transfer of \$17,000 from the BCWMC's Long-term Maintenance Fund to its Administrative Fund to cover the costs of flood control project expenses in 2014. Commissioner Welch moved to adopt Resolution 15-05. Commissioner Mueller seconded the motion. Upon a vote, the motion carried 5-0 [Cities of Golden Valley, Minnetonka, Plymouth, and Robbinsdale absent from vote].

[Commissioner Welch departs the meeting at 11:40 a.m.]

I. Receive Update on Major Plan Amendment Comments and Timeline

Administrator Jester reported that the Commission received no comments on its proposed Major Plan Amendment and that the Commission will hold a public hearing on the proposed major plan amendment at the BCWMC's March meeting.

7. COMMUNICATIONS

- A. Administrator:** No Administrator Communications
- B. Chair:** No Chair Communications
- C. Commissioners:** No Commissioner Communications
- D. TAC Members:** No TAC Communications

- E. Committees:** No Committee Communications
- F. Legal Counsel:** No Legal Communications
- G. Engineer:** No Engineer Communications

8. INFORMATION ONLY (Available at <http://www.bassettcreekwmo.org/Meetings/2015/2015-February/2015FebruaryMeetingPacket.htm>)

- A. CIP Project Update Chart
- B. BCWMC Review of Proposed Revisions to Golden Valley Comp Plan
- C. 2014 NEMO Program & Video Interviews of Participants
- D. 2014 River Watch Report
- E. Grant Tracking Summary and Spreadsheet
- F. Clean Water Fund Grant Report for CR2012 Main Stem Restoration Project

9. ADJOURNMENT

Chair de Lambert adjourned the Bassett Creek Watershed Management Commission Regular Meeting at 11:42 a.m.

Amy Herbert, Recorder

Date

Secretary

Date

Bassett Creek Watershed Management Commission General Account
 General Fund (Administration) Financial Report
 Fiscal Year: February 1, 2014 through January 31, 2015
 MEETING DATE: February 19, 2015

(UNAUDITED)
(REVISED)

Item 4B.
 BCWMC 3-19-15
 REVISED YEAR
 END REPORT

BEGINNING BALANCE	7-Jan-15		579,372.23
ADD:			
General Fund Revenue:			
Interest less Bank Fees		(5.07)	
2015-16 Assessments (Prepaid)			
Crystal		25,868.00	
Robbinsdale		7,587.00	
Plymouth		225,159.00	
Transfer 2.5% of Tax Collection for Admin Expenses		22,375.00	
Transfer from Long Term Maintenance - Inspect Flood Control Proj		17,000.00	
Met Council		1,000.00	
Permits:			
S E H		1,100.00	
Plymouth		1,100.00	
Loucks & Assoc		2,200.00	
Reimbursed Construction Costs		36,141.50	
			339,525.43
DEDUCT:			
Checks:			
2708 Keystone Waters LLC	January Administrator	4,643.80	
2709 Barr Engineering	January Engineering	57,712.15	
2710 Amy Herbert LLC	January secretarial	2,184.82	
2711 D'Amico Catering	February meeting	131.80	
2712 Wenck	Jan Outlet Monitoring	964.78	
2713 Kennedy & Graven	December Services	2,369.54	
	January Services	1,483.03	3,852.57
2717 City of Golden Valley	Financial Services	3,045.00	
	Channel Maintenance	34,747.50	37,792.50
2715 CNA Surety	Treasurer Bond Policy		100.00
2716 Shingle Creek	WMWA		9,750.00
	To Construction Fund - Channel Maintenance		25,000.00
	To Construction Fund - Long-Term Maintenance		25,000.00
			167,132.42
Outstanding from previous month:			
			167,132.42
ENDING BALANCE	11-Feb-15		751,765.24

	2014/2015 BUDGET	CURRENT MONTH	YTD 2014/2015	BALANCE
OTHER GENERAL FUND REVENUE				
ASSESSMENTS	490,345	0.00	490,344.00	1.00
WOMP REIMBURSEMENT	0	1,000.00	1,000.00	0.00
PERMIT REVENUE	60,000	0.00	44,400.00	15,600.00
REVENUE TOTAL	550,345	1,000.00	535,744.00	15,601.00
EXPENDITURES				
ENGINEERING				
ADMINISTRATION	120,000	8,604.75	109,391.36	10,608.64
PLAT REVIEW	65,000	3,315.50	52,643.20	12,356.80
COMMISSION MEETINGS	16,000	464.00	15,983.98	16.02
SURVEYS & STUDIES	20,000	0.00	7,445.66	12,554.34
WATER QUALITY/MONITORING	45,000	18,285.00	74,090.54	(29,090.54)
WATER QUANTITY	11,000	459.90	12,099.96	(1,099.96)
WATERSHED INSPECTIONS	1,000	0.00	225.00	775.00
ANNUAL FLOOD CONTROL INSPECTIONS	20,000	11,025.00	17,031.20	2,968.80
REVIEW MUNICIPAL PLANS	2,000	32.00	764.00	1,236.00
ENGINEERING TOTAL	300,000	42,186.15	289,674.90	10,325.10
PLANNING				
WATERSHED-WIDE SP-SWMM MODEL	0	0.00	0.00	0.00
WATERSHED-WIDE P8 WATER QUALITY MODEL	0	0.00	0.00	0.00
NEXT GENERATION PLAN	40,000	0.00	55,198.50	(15,198.50)
PLANNING TOTAL	40,000	0.00	55,198.50	(15,198.50)
ADMINISTRATOR	60,000	4,643.80	53,916.95	6,083.05
LEGAL COSTS	18,500	3,852.57	22,268.74	(3,768.74)
AUDIT, INSURANCE & BONDING	15,500	0.00	12,476.00	3,024.00
FINANCIAL MANAGEMENT	3,045	3,045.00	3,045.00	0.00
MEETING EXPENSES	3,000	0.00	1,835.90	1,164.10
ADMINISTRATIVE SERVICES	35,800	2,188.32	22,762.65	13,037.35
PUBLICATIONS/ANNUAL REPORT	2,000	0.00	2,272.00	(272.00)
WEBSITE	2,000	0.00	0.00	2,000.00
PUBLIC COMMUNICATIONS	3,000	0.00	1,198.42	1,801.58
WOMP	17,000	1,654.78	13,917.42	3,082.58
EDUCATION AND PUBLIC OUTREACH	15,000	0.00	20,292.30	(5,292.30)
WATERSHED EDUCATION PARTNERSHIPS	15,500	0.00	11,100.00	4,400.00
EROSION/SEDIMENT (CHANNEL MAINT)	25,000	25,000.00	25,000.00	0.00
LONG TERM MAINTENANCE (moved to CF)	25,000	25,000.00	25,000.00	0.00
TMDL STUDIES	20,000	13,438.50	20,000.00	0.00
GRAND TOTAL	600,345	121,009.12	579,958.78	20,386.22

Cash Balance 01/07/15			
Cash		2,429,158.61	
Investments:		<u>1,000,000.00</u>	
	Total Cash & Investments		3,429,158.61
Add:			
Interest Revenue (Bank Charges)		(31.86)	
Interest Revenue Investments			
Henn County Property Tax Levy		<u>2,837.08</u>	
	Total Revenue		2,805.22
Less:			
CIP Projects Levied - Current Expenses - TABLE A		(23,769.00)	
Proposed & Future CIP Projects to Be Levied - Current Expenses - TABLE B		<u>0.00</u>	
	Total Current Expenses		(23,769.00)
	Total Cash & Investments On Hand	02/11/15	<u><u>3,408,194.83</u></u>
Total Cash & Investments On Hand		3,408,194.83	
CIP Projects Levied - Budget Remaining - TABLE A		<u>(2,674,831.87)</u>	
Closed Projects Remaining Balance		733,362.96	
2013 Anticipated Tax Levy Revenue - TABLE C		15,251.02	
2014 Anticipated Tax Levy Revenue - TABLE C		<u>11,262.26</u>	
Anticipated Closed Project Balance		<u><u>759,876.24</u></u>	
Proposed & Future CIP Project Amount to be Levied - TABLE B		<u>0.00</u>	

TABLE A - CIP PROJECTS LEVIED

	Approved Budget	Current Expenses	2014 YTD Expenses	INCEPTION To Date Expenses	Remaining Budget
Plymouth Creek Channel Restoration (2010 CR)	965,200.00	0.00	0.00	933,688.61	31,511.39
Wisc Ave/Duluth Street-Crystal (2011 CR)	580,200.00	0.00	0.00	580,200.00	0.00
Wirth Lake Outlet Modification (WTH-4)(2012)	202,500.00	0.00	31.00	201,513.94	986.06
5/13 Increase Budget - \$22,500					
Main Stem Irving Ave to GV Road (2012 CR)	856,000.00	1,394.00	41,692.40	178,453.95	677,546.05
Lakeview Park Pond (ML-8) (2013)	196,000.00	0.00	0.00	11,589.50	184,410.50
Four Seasons Mall Area Water Quality Proj (NL-2)	990,000.00	0.00	0.00	101,635.49	888,364.51
2014				0.00	0.00
Schaper Pond Enhance Feasibility/Project (SL-1)(SL-3)	612,000.00	13,350.00	26,309.90	89,594.90	522,405.10
Briarwood / Dawnview Nature Area (BC-7)	250,000.00	5,470.00	12,968.00	19,598.09	230,401.91
Twin Lake Alum Treatment Project (TW-2)	163,000.00	3,555.00	8,443.85	23,793.65	139,206.35
	<u>4,814,900.00</u>	<u>23,769.00</u>	<u>89,445.15</u>	<u>2,140,068.13</u>	<u>2,674,831.87</u>

TABLE B - PROPOSED & FUTURE CIP PROJECTS TO BE LEVIED

	Approved Budget - To Be Levied	Current Expenses	2014 YTD Expenses	INCEPTION To Date Expenses	Remaining Budget
2015					
Main Stem 10th to Duluth	0.00	0.00	9,820.60	11,179.35	(11,179.35)
2015 Project Totals	<u>0.00</u>	<u>0.00</u>	<u>9,820.60</u>	<u>11,179.35</u>	<u>(11,179.35)</u>
2016					
Bryn Mawr Meadows (BC-5)	0.00	0.00	5,282.80	5,282.80	(5,282.80)
Honeywell Pond Expansion (BC-4)	0.00	0.00	7,461.95	7,461.95	(7,461.95)
Northwood Lake Pond (NL-1)	0.00	0.00	5,118.75	5,118.75	(5,118.75)
2016 Project Totals	<u>0.00</u>	<u>0.00</u>	<u>17,863.50</u>	<u>17,863.50</u>	<u>(17,863.50)</u>
Total Proposed & Future CIP Projects to be Levied	<u>0.00</u>	<u>0.00</u>	<u>27,684.10</u>	<u>29,042.85</u>	<u>(29,042.85)</u>

TABLE C - TAX LEVY REVENUES								
	County Levy	Abatements / Adjustments	Adjusted Levy	Current Received	Year to Date Received	Inception to Date Received	Balance to be Collected	BCWMO Levy
2014 Tax Levy	895,000.00		895,000.00	3,133.27	883,737.74	883,737.74	11,262.26	895,000.00
2013 Tax Levy	986,000.00		986,000.00	(296.19)	(5,588.93)	970,748.98	15,251.02	986,000.00
2012 Tax Levy	762,010.00		762,010.00	0.00	0.00	756,623.34	5,386.66	762,010.00
2011 Tax Levy	863,268.83	(2,871.91)	860,396.92	0.00	0.00	854,306.79	6,090.13	862,400.00
2010 Tax Levy	935,298.91	(4,927.05)	930,371.86	0.00	0.00	926,271.81	4,100.05	935,000.00
2009 Tax Levy	800,841.30	(8,054.68)	792,786.62	0.00	0.00	792,822.49	(35.87)	800,000.00
2008 Tax Levy	908,128.08	(4,357.22)	903,770.86	0.00	0.00	904,112.72	(341.86)	907,250.00
				<u>2,837.08</u>			<u>41,712.39</u>	

OTHER PROJECTS:

	Approved Budget	Current Expenses / (Revenue)	2014 YTD Expenses / (Revenue)	INCEPTION To Date Expenses / (Revenue)	Remaining Budget
TMDL Studies					
TMDL Studies	135,000.00	0.00	0.00	142,512.65	(7,512.65)
Sweeney TMDL	119,000.00	0.00	0.00	212,222.86	
Less: MPCA Grant Revenue		0.00	0.00	(163,870.64)	70,647.78
TOTAL TMDL Studies	<u>254,000.00</u>	<u>0.00</u>	<u>0.00</u>	<u>190,864.87</u>	<u>63,135.13</u>
Annual Flood Control Projects:					
Flood Control Emergency Maintenance	500,000.00	0.00	0.00	0.00	500,000.00
Flood Control Long-Term Maintenance	623,373.00	0.00	24,712.15	43,195.48	580,177.52
Sweeney Lake Outlet (2012 FC-1)	250,000.00	0.00	0.00	179,742.18	70,257.82
Annual Water Quality					
Channel Maintenance Fund	300,000.00	34,747.50	0.00	59,718.10	240,281.90
Total Other Projects	<u>1,927,373.00</u>	<u>34,747.50</u>	<u>24,712.15</u>	<u>473,520.63</u>	<u>1,453,852.37</u>

Cash Balance 01/07/15	1,212,193.22
Add:	
Transfer from GF	50,000.00
MPCA Grant-Sweeney Lk	0.00
Less:	
Current (Expenses)/Revenue	(34,747.50)
Ending Cash Balance 02/11/15	<u>1,227,445.72</u>
Additional Capital Needed	<u>(226,407)</u>

Bassett Creek Watershed Management Commission General Account
 General Fund (Administration) Financial Report
 Fiscal Year: February 1, 2015 through January 31, 2016
 MEETING DATE: March 19, 2015

Item 4C. BCWMC 3-19-15

BEGINNING BALANCE	11-Feb-15		751,765.24
ADD:			
General Fund Revenue:			
Interest less Bank Fees		(10.54)	
2015-16 Assessments			
Golden valley		121,964.00	
Permits:			
Alliant Engineering		1,500.00	
Park Nicollet		1,700.00	
Reimbursed Construction Costs		144.00	
		Total Revenue and Transfers In	125,297.46
DEDUCT:			
Checks:			
2718 Keystone Waters LLC	Feb Administrator	5,150.00	
2719 Barr Engineering	Feb Engineering	21,504.48	
2720 Amy Herbert LLC	Feb Admin Services	2,184.82	
2721 D'Amico Catering	March Meeting	129.92	
2722 Wenck Associates Inc	Outlet Monitoring	675.48	
2723 Hamline University	2015 Membership	3,500.00	
2724 MMKR	Audit Services	1,400.00	
2725 ECM	Public Hearing Notice	542.96	
	Total Checks		35,087.66
Outstanding from previous month:			
	Total Expenses		35,087.66
ENDING BALANCE	11-Mar-15		841,975.04

Bassett Creek Watershed Management Commission General Account
 General Fund (Administration) Financial Report
 Fiscal Year: February 1, 2015 through January 31, 2016
 MEETING DATE: March 19, 2015

(UNAUDITED)

	2015 / 2016 BUDGET	CURRENT MONTH	YTD 2015 / 2016	BALANCE
OTHER GENERAL FUND REVENUE				
ASSESSMENTS TO CITIES	490,345	121,964.00	486,799.00	3,546.00
PERMIT REVENUE	60,000	3,200.00	6,500.00	53,500.00
WOMP REIMBURSEMENT	5,000	0.00	0.00	5,000.00
TRANSFERS FROM LONG TERM FUND & CIP	35,000	0.00	0.00	35,000.00
REVENUE TOTAL	590,345	125,164.00	493,299.00	97,046.00
EXPENDITURES				
ENGINEERING & MONITORING				
TECHNICAL SERVICES	120,000	7,674.58	7,674.58	112,325.42
DEV/PROJECT REVIEWS	65,000	3,106.00	3,106.00	61,894.00
NON-FEE/PRELIM REVIEWS	15,000	1,984.50	1,984.50	13,015.50
COMMISSION AND TAC MEETINGS	14,500	1,104.00	1,104.00	13,396.00
SURVEYS & STUDIES	20,000	0.00	0.00	20,000.00
WATER QUALITY/MONITORING	63,000	3,748.50	3,748.50	59,251.50
WATER QUANTITY	11,500	414.90	414.90	11,085.10
WATERSHED INSPECTIONS	1,000	0.00	0.00	1,000.00
ANNUAL FLOOD CONTROL INSPECTIONS	10,000	0.00	0.00	10,000.00
REVIEW MUNICIPAL PLANS	2,000	0.00	0.00	2,000.00
WOMP	17,000	1,438.98	1,438.98	15,561.02
ENGINEERING & MONITORING TOTAL	339,000	19,471.46	19,471.46	319,528.54
PLANNING				
WATERSHED-WIDE SP-SWMM MODEL	0	0.00	0.00	0.00
WATERSHED-WIDE P8 WATER QUALITY MODEL	0	0.00	0.00	0.00
NEXT GENERATION PLAN	30,000	1,124.00	1,124.00	28,876.00
PLANNING TOTAL	30,000	1,124.00	1,124.00	28,876.00
ADMINISTRATION				
ADMINISTRATOR	62,000	5,150.00	5,150.00	56,850.00
LEGAL COSTS	18,500	0.00	0.00	18,500.00
AUDIT, INSURANCE & BONDING	15,500	1,400.00	1,500.00	14,000.00
FINANCIAL MANAGEMENT	3,200	0.00	0.00	3,200.00
DIGITIZE HISTORIC PAPER FILES	2,500	0.00	0.00	2,500.00
MEETING EXPENSES	2,500	129.92	261.72	2,238.28
ADMINISTRATIVE SERVICES	32,000	2,197.32	2,197.32	29,802.68
ADMINISTRATION TOTAL	136,200	8,877.24	9,109.04	127,090.96
OUTREACH & EDUCATION				
PUBLICATIONS/ANNUAL REPORT	4,000	0.00	0.00	4,000.00
WEBSITE	12,000	0.00	0.00	12,000.00
PUBLIC COMMUNICATIONS	3,000	542.96	542.96	2,457.04
EDUCATION AND PUBLIC OUTREACH	17,000	0.00	9,750.00	7,250.00
WATERSHED EDUCATION PARTNERSHIPS	15,500	3,500.00	3,500.00	12,000.00
OUTREACH & EDUCATION TOTAL	51,500	4,042.96	13,792.96	37,707.04
MAINTENANCE FUNDS				
EROSION/SEDIMENT (CHANNEL MAINT)	25,000	0.00	0.00	25,000.00
LONG TERM MAINTENANCE (moved to CF)	25,000	0.00	0.00	25,000.00
MAINTENANCE FUNDS TOTAL	50,000	0.00	0.00	50,000.00
TMDL WORK				
TMDL STUDIES	0	0.00	0.00	0.00
TMDL IMPLEMENTATION REPORTING	20,000	1,428.00	1,428.00	18,572.00
TMDL WORK TOTAL	20,000	1,428.00	1,428.00	18,572.00
TOTAL EXPENSES	626,700	34,943.66	44,925.46	581,774.54

Cash Balance 02/11/15			
Cash		2,408,194.83	
Investments:		<u>1,000,000.00</u>	
	Total Cash & Investments		3,408,194.83
 Add:			
Interest Revenue (Bank Charges)		(31.86)	
Interest Revenue Investments			
Henn County Property Tax Levy			
	Total Revenue		<u>(31.86)</u>
 Less:			
CIP Projects Levied - Current Expenses - TABLE A		(64.00)	
Proposed & Future CIP Projects to Be Levied - Current Expenses - TABLE B		<u>80.00</u>	
	Total Current Expenses		16.00
	Total Cash & Investments On Hand	03/11/15	<u><u>3,408,178.97</u></u>
	Total Cash & Investments On Hand	3,408,178.97	
	CIP Projects Levied - Budget Remaining - TABLE A	<u>(2,674,767.87)</u>	
	Closed Projects Remaining Balance	733,411.10	
	2013 Anticipated Tax Levy Revenue - TABLE C	1,465.41	
	2014 Anticipated Tax Levy Revenue - TABLE C	<u>7,886.48</u>	
	Anticipated Closed Project Balance	<u><u>742,762.99</u></u>	
	Proposed & Future CIP Project Amount to be Levied - TABLE B	<u>0.00</u>	

TABLE A - CIP PROJECTS LEVIED

	Approved Budget	Current Expenses	2015 YTD Expenses	INCEPTION To Date Expenses	Remaining Budget
Plymouth Creek Channel Restoration (2010 CR)	965,200.00	0.00	0.00	933,688.61	31,511.39
Wisc Ave/Duluth Street-Crystal (2011 CR)	580,200.00	0.00	0.00	580,200.00	0.00
Wirth Lake Outlet Modification (WTH-4)(2012) 5/13 Increase Budget - \$22,500	202,500.00	0.00	0.00	201,513.94	986.06
Main Stem Irving Ave to GV Road (2012 CR)	856,000.00	0.00	0.00	178,453.95	677,546.05
Lakeview Park Pond (ML-8) (2013)	196,000.00	0.00	0.00	11,589.50	184,410.50
Four Seasons Mall Area Water Quality Proj (NL-2) 2014	990,000.00	0.00	0.00	101,635.49	888,364.51
Schaper Pond Enhance Feasibility/Project (SL-1)(SL-3)	612,000.00	0.00	0.00	89,594.90	522,405.10
Briarwood / Dawnview Nature Area (BC-7)	250,000.00	0.00	0.00	19,598.09	230,401.91
Twin Lake Alum Treatment Project (TW-2)	163,000.00	64.00	64.00	23,857.65	139,142.35
	<u>4,814,900.00</u>	<u>64.00</u>	<u>64.00</u>	<u>2,140,132.13</u>	<u>2,674,767.87</u>

TABLE B - PROPOSED & FUTURE CIP PROJECTS TO BE LEVIED

	Approved Budget - To Be Levied	Current Expenses	2015 YTD Expenses	INCEPTION To Date Expenses	Remaining Budget
2015					
Main Stem 10th to Duluth	0.00	80.00	80.00	11,259.35	(11,259.35)
2015 Project Totals	<u>0.00</u>	<u>80.00</u>	<u>80.00</u>	<u>11,259.35</u>	<u>(11,259.35)</u>
2016					
Bryn Mawr Meadows (BC-5)	0.00	0.00	0.00	5,282.80	(5,282.80)
Honeywell Pond Expansion (BC-4)	0.00	0.00	0.00	7,461.95	(7,461.95)
Northwood Lake Pond (NL-1)	0.00	0.00	0.00	5,118.75	(5,118.75)
2016 Project Totals	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>17,863.50</u>	<u>(17,863.50)</u>
Total Proposed & Future CIP Projects to be Levied	<u>0.00</u>	<u>80.00</u>	<u>80.00</u>	<u>29,122.85</u>	<u>(29,122.85)</u>

TABLE C - TAX LEVY REVENUES

	County Levy	Abatements / Adjustments	Adjusted Levy	Current Received	Year to Date Received	Inception to Date Received	Balance to be Collected	BCWMO Levy
2015 Tax Levy								
2014 Tax Levy	895,000.00	(2,576.10)	892,423.90	0.00	0.00	884,537.42	7,886.48	895,000.00
2013 Tax Levy	986,000.00	(13,785.61)	972,214.39	0.00	0.00	970,748.98	1,465.41	986,000.00
2012 Tax Levy	762,010.00	(5,103.74)	756,906.26	0.00	0.00	756,623.34	282.92	762,010.00
2011 Tax Levy	863,268.83	(8,962.04)	854,306.79	0.00	0.00	854,306.79	0.00	862,400.00
2010 Tax Levy	935,298.91	(9,027.10)	926,271.81	0.00	0.00	926,271.81	0.00	935,000.00
2009 Tax Levy	800,841.30	(8,018.81)	792,822.49	0.00	0.00	792,822.49	0.00	800,000.00
				<u>0.00</u>			<u>9,634.81</u>	

OTHER PROJECTS:

	Approved Budget	Current Expenses / (Revenue)	2015 YTD Expenses / (Revenue)	INCEPTION To Date Expenses / (Revenue)	Remaining Budget
TMDL Studies					
TMDL Studies	135,000.00	0.00	0.00	142,512.65	(7,512.65)
Sweeney TMDL	119,000.00	0.00	0.00	212,222.86	
Less: MPCA Grant Revenue		0.00	0.00	(163,870.64)	70,647.78
TOTAL TMDL Studies	<u>254,000.00</u>	<u>0.00</u>	<u>0.00</u>	<u>190,864.87</u>	<u>63,135.13</u>
Annual Flood Control Projects:					
Flood Control Emergency Maintenance	500,000.00	0.00	0.00	0.00	500,000.00
Flood Control Long-Term Maintenance	623,373.00	0.00	0.00	43,195.48	580,177.52
Sweeney Lake Outlet (2012 FC-1)	250,000.00	0.00	0.00	179,742.18	70,257.82
Annual Water Quality					
Channel Maintenance Fund	300,000.00	0.00	0.00	59,718.10	240,281.90
Total Other Projects	<u>1,927,373.00</u>	<u>0.00</u>	<u>0.00</u>	<u>473,520.63</u>	<u>1,453,852.37</u>

Cash Balance 02/11/15	1,210,445.72
Add:	
Transfer from GF	0.00
MPCA Grant-Sweeney Lk	0.00
Less:	
Current (Expenses)/Revenue	0.00
Ending Cash Balance 03/11/15	<u><u>1,210,445.72</u></u>
Additional Capital Needed	<u><u>(243,407)</u></u>

Bassett Creek Construction Project Details

3/11/2015

CIP Projects Levied										
Total	2010	2011	2012	2012	2013	2013	2014	2014	2014	2014
CIP Projects Levied	Plymouth Creek Channel Restoration (2010 CR)	Wisc Ave (Duluth Str)-Crystal (GV)	Wirth Lake Outlet Modification (WTH-4)	Main Stem Irving Ave to GV Road (Cedar Lk Rd) (2012CR)	Lakeview Park Pond (ML-8)	Four Seasons Mall Area Water Quality Project (NL-2)	Schaper Pond Enhancement Feasibility / Project (SL-1) (SL-3)	Briarwood / Dawnview Water Quality Improve Proj (BC-7)	Twin Lake In-Lake Alum Treatment Project (TW-2)	
Original Budget	4,792,400	965,200	580,200	180,000	856,000	196,000	990,000	612,000	250,000	163,000
Added to Budget	22,500			22,500						
Expenditures:										
Feb 2004 - Jan 2005	637.50					637.50				
Feb 2005 - Jan 2006										
Feb 2006 - Jan 2007										
Feb 2007 - Jan 2008										
Feb 2008 - Jan 2009	20,954.25	20,954.25								
Feb 2009 - Jan 2010	9,319.95	9,319.95								
Feb 2010 - Jan 2011	70,922.97	30,887.00	34,803.97	2,910.00	1,720.00		602.00			
Feb 2011 - Jan 2012	977,285.99	825,014.32	9,109.50	22,319.34	71,647.97	1,476.00	8,086.37	39,632.49		
Feb 2012 - Jan 2013	153,174.66	47,378.09	9,157.98	4,912.54	20,424.16	2,964.05	61,940.82	4,572.97	152.80	1,671.25
Feb 2013 - Jan 2014	818,327.66	135.00	527,128.55	171,341.06	42,969.42	6,511.95	31,006.30	19,079.54	6,477.29	13,678.55
Feb 2014 - Jan 2015	89,445.15			31.00	41,692.40			26,309.90	12,968.00	8,443.85
Feb 2015-Jan 2016	64.00									64.00
Total Expenditures:	2,140,132.13	933,688.61	580,200.00	201,513.94	178,453.95	11,589.50	101,635.49	89,594.90	19,598.09	23,857.65
Project Balance	2,674,767.87	31,511.39		986.06	677,546.05	184,410.50	888,364.51	522,405.10	230,401.91	139,142.35

CIP Projects Levied										
Total	2010	2011	2012	2012	2013	2013	2014	2014	2014	2014
CIP Projects Levied	Plymouth Creek Channel Restoration (2010 CR)	Wisc Ave (Duluth Str)-Crystal (GV)	Wirth Lake Outlet Modification (WTH-4)	Main Stem Irving Ave to GV Road (Cedar Lk Rd) (2012CR)	Lakeview Park Pond (ML-8)	Four Seasons Mall Area Water Quality Project (NL-2)	Schaper Pond Enhancement Feasibility / Project (SL-1) (SL-3)	Briarwood / Dawnview Water Quality Improve Proj (BC-7)	Twin Lake In-Lake Alum Treatment Project (TW-2)	
Project Totals By Vendor										
Barr Engineering	366,896.60	47,863.10	48,811.20	30,565.19	101,026.38	6,338.95	28,670.54	75,251.50	13,089.74	15,280.00
Kennedy & Graven	14,022.90	2,120.10	1,052.50	2,225.15	1,862.25	1,200.55	2,471.95	993.40	1,038.35	1,058.65
City of Golden Valley	691,803.86		526,318.80	165,485.06						
City of Minneapolis	59,753.61				59,753.61					
City of Plymouth	911,036.86	861,143.86					49,893.00			
City of Crystal										
Blue Water Science	3,900.00									3,900.00
S E H										
Misc										
2.5% Admin Transfer	92,654.30	22,561.55	4,017.50	3,238.54	15,811.71	4,050.00	20,600.00	13,350.00	5,470.00	3,555.00
Total Expenditures	2,140,068.13	933,688.61	580,200.00	201,513.94	178,453.95	11,589.50	101,635.49	89,594.90	19,598.09	23,793.65

CIP Projects Levied										
Total	2010	2011	2012	2012	2013	2013	2014	2014	2014	2014
CIP Projects Levied	Plymouth Creek Channel Restoration (2010 CR)	Wisc Ave (Duluth Str)-Crystal (GV)	Wirth Lake Outlet Modification (WTH-4)	Main Stem Irving Ave to GV Road (Cedar Lk Rd) (2012CR)	Lakeview Park Pond (ML-8)	Four Seasons Mall Area Water Quality Project (NL-2)	Schaper Pond Enhancement Feasibility / Project (SL-1) (SL-3)	Briarwood / Dawnview Water Quality Improve Proj (BC-7)	Twin Lake In-Lake Alum Treatment Project (TW-2)	
Levy/Grant Details										
2009/2010 Levy	902,462	902,462								
2010/2011 Levy	160,700		160,700							
2011/2012 Levy	762,010			83,111	678,899					
2012/2013 Levy	986,000					162,000	824,000			
2013/2014 Levy	895,000							534,000	218,800	142,200
Construction Fund Balance	881,228	62,738	419,500	21,889	177,101	34,000	166,000			
BWSR Grant- BCWMO	504,750	212,250		75,000	217,500					
Total Levy/Grants	5,092,150	1,177,450	580,200	180,000	1,073,500	196,000	990,000	534,000	218,800	142,200

BWSR Final 4/8/13 67,500 108,750
 FY11 Competitive Grant Program - received \$7500 on 11/6/14

Creek Construction Project Details

Bassett Creek Construction Project Details

Proposed & Future CIP Projects (to be Levied)

	Total Proposed & Future CIP Projects (to be Levied)	2015 Main Stem - 10th Ave to Duluth	2016 Bryn Mawr Meadows	2016 Honeywell Pond Expansion (BC-4)	2016 Northwood Lake Pond (NL-1)	
Original Budget Added to Budget						MPCA Grant From GF
Expenditures:						
Feb 2004 - Jan 2005						
Feb 2005 - Jan 2006						
Feb 2006 - Jan 2007						
Feb 2007 - Jan 2008						
Feb 2008 - Jan 2009						
Feb 2009 - Jan 2010						
Feb 2010 - Jan 2011						
Feb 2011 - Jan 2012						
Feb 2012 - Jan 2013						
Feb 2013 - Jan 2014	1,358.75	1,358.75				
Feb 2014 - Jan 2015	27,684.10	9,820.60	5,282.80	7,461.95	5,118.75	
Feb 2015-Jan 2016	80.00	80.00				
Total Expenditures:	29,122.85	11,259.35	5,282.80	7,461.95	5,118.75	
Project Balance	(29,122.85)	(11,259.35)	(5,282.80)	(7,461.95)	(5,118.75)	

Other Projects

Total Other Projects	TMDL Studies	Sweeney Lake TMDL	Flood Control Emergency Maintenance	Flood Control Long- Term Maintenance	2012 Sweeney Lake Outlet (FC-1)	Channel Maintenance	Totals - All Projects
1,647,373.00	105,000.00	119,000.00	500,000.00	748,373.00 (250,000.00)	250,000.00	175,000.00	6,439,773.00
163,870.64		163,870.64					22,500.00
280,000.00	30,000.00			125,000.00		125,000.00	163,870.64
							280,000.00
6,949.19				3,954.44		2,994.75	637.50
10,249.09	637.20			9,611.89			6,949.19
113,141.44	23,486.95	89,654.49					10,249.09
117,455.33	31,590.12	47,041.86				38,823.35	113,141.44
76,184.64	31,868.63	44,316.01					138,409.58
45,375.25	15,005.25	25,920.00			4,450.00		85,504.59
12,656.65	168.00	5,290.50			7,198.15		116,298.22
21,094.00	3,194.00					17,900.00	989,942.64
174,826.03	1,815.00			4,917.00	168,094.03		174,268.66
59,459.65				24,712.15		34,747.50	994,512.44
							176,588.90
							144.00
637,391.27	107,765.15	212,222.86		43,195.48	179,742.18	94,465.60	2,806,646.25
1,453,852.37	27,234.85	70,647.78	500,000.00	580,177.52	70,257.82	205,534.40	4,099,497.39

	Total Proposed & Future CIP Projects (to be Levied)	2015 Main Stem - 10th Ave to Duluth	2016 Bryn Mawr Meadows	2016 Honeywell Pond Expansion (BC- 4)	2016 Northwood Lake Pond (NL- 1)	
Project Totals By Vendor						
Barr Engineering	27,858.80	10,254.00	5,282.80	7,352.50	4,969.50	
Kennedy & Graven	1,184.05	925.35		109.45	149.25	
City of Golden Valley						
City of Minneapolis						
City of Plymouth						
City of Crystal						
Blue Water Science						
S E H						
Misc						
2.5% Admin Transfer						
Total Expenditures	16,462.15	11,179.35	5,282.80	7,461.95	5,118.75	

Total Other Projects	TMDL Studies	Sweeney Lake TMDL	Flood Control Emergency Maintenance	Flood Control Long- Term Maintenance	2012 Sweeney Lake Outlet (FC-1)	Channel Maintenance	Totals - All Projects
239,955.59	104,888.70	94,948.17		22,108.82	18,009.90		634,710.99
5,977.19	1,164.30	2,902.59		94.40	1,461.15	354.75	21,184.14
180,811.13					160,271.13	20,540.00	872,614.99
38,823.35						38,823.35	59,753.61
101,598.10		101,598.10					949,860.21
18,478.41	1,712.15	12,774.00		3,992.26			3,900.00
							101,598.10
							18,478.41
							92,654.30
585,643.77	107,765.15	212,222.86		26,195.48	179,742.18	59,718.10	2,754,754.75

	Total Proposed & Future CIP Projects (to be Levied)	2015 Main Stem - 10th Ave to Duluth	2016 Bryn Mawr Meadows	2016 Honeywell Pond Expansion (BC- 4)	2016 Northwood Lake Pond (NL- 1)	
Levy/Grant Details						
2009/2010 Levy						MPCA Grant
2010/2011 Levy						2010/2011
2011/2012 Levy						2011/2012
2012/2013 Levy						2012/2013
2013/2014 Levy						2013/2014
2014/2015 Levy						2014/2015
Construction Fund Balance						
BWSR Grant- BCWMO						
Total Levy/Grants						

Total Other Projects	TMDL Studies	Sweeney Lake TMDL	Flood Control Emergency Maintenance	Flood Control Long- Term Maintenance	2012 Sweeney Lake Outlet (FC-1)	Channel Maintenance	Totals - All Projects
163,870.64		163,870.64					902,462
60,000.00	10,000			25,000		25,000	220,700
60,000.00	10,000			25,000		25,000	822,010
60,000.00	10,000			25,000		25,000	1,046,000
50,000.00				25,000		25,000	945,000
50,000.00				25,000		25,000	931,228
							504,750
443,870.64	30,000	163,870.64		125,000		125,000	5,372,150

BWSR Grants Received

Item 4E.
BCWMC 3-19-15
Preliminary contract; needs legal counsel approval

Contract No: A153064

AGREEMENT FOR SERVICES

This Agreement is between the COUNTY OF HENNEPIN, STATE OF MINNESOTA, (the "COUNTY") A-2300 Government Center, Minneapolis, Minnesota 55487, on behalf of the Hennepin County (Environment and Energy, 701 Fourth Avenue South, Suite 700, Minneapolis, MN 55415) ("DEPARTMENT") and Bassett Creek Watershed Management Commission, a Minnesota joint powers organization (COMMISSION) C/O 16144 Hillcrest Lane, Eden Prairie, MN 55346

The parties agree as follows:

1. TERM OF THE AGREEMENT

The County agrees to furnish River Watch program services to the Commission commencing May 1, 2015 and terminating May 1, 2016, unless terminated earlier in accordance with the Default and Cancellation provisions of this Agreement.

2. SERVICES TO BE PROVIDED

The County agrees to provide River Watch program services to the Commission as more fully described in Exhibit A, attached hereto and incorporated herein by reference.

3. PAYMENT FOR SERVICES

The Department will bill the Commission for services rendered. Payment shall be made within thirty-five (35) days from receipt of the invoice.

The total cost of this Agreement shall not exceed Two Thousand Dollars (\$2,000).

4. INDEPENDENT CONTRACTOR

The County shall select the means, method, and manner of performing the services. Nothing is intended or should be construed as creating or establishing the relationship of a partnership or a joint venture between the parties or as constituting either party as the agent, representative, or employee of the other party for any purpose. The County is and shall remain an independent contractor for all services performed under this Agreement.

5. LIABILITY

Each party shall be responsible for its own acts and deeds and the results thereof. The County's liability shall be governed by the provisions of Minnesota Statutes, Chapter 466 and other applicable law.

6. INSURANCE

A. Both parties agree at all times during the term of this Agreement, and beyond such term when so required, to have and keep in force the following insurance coverages:

Limits

- | | | |
|----|---|-------------|
| 1. | Commercial General Liability on an occurrence basis with contractual liability coverage: | |
| | General Aggregate | \$2,000,000 |
| | Products—Completed Operations Aggregate | 2,000,000 |
| | Personal and Advertising Injury | 1,500,000 |
| | Each Occurrence—Combined Bodily Injury and Property Damage | 1,500,000 |
| 2. | Workers' Compensation and Employer's Liability: | |
| | Workers' Compensation | Statutory |
| | Employer's Liability. Bodily injury by: | |
| | Accident—Each Accident | 500,000 |
| | Disease—Policy Limit | 500,000 |
| | Disease—Each Employee | 500,000 |
| 3. | Professional Liability— Per Claim | 1,500,000 |
| | Aggregate | 2,000,000 |
| | The professional liability insurance must be maintained continuously for a period of two years after the termination of this Agreement. | |

B. A self-insurance program is an acceptable method to provide the required insurance limits.

C. Duty to Notify. Each party shall promptly notify the other party of any claim, action, cause of action or litigation brought against it, its employees, officers, agents or subcontractors, which arises out of the services contained in this Agreement. Each party shall also notify the other party whenever it has a reasonable basis for believing that it and/or its employees, officers, agents or subcontractors, might become the subject of a claim, action, cause of action, or litigation arising out of and/or related to the services contained in this Agreement.

7. DATA PRACTICES

Each party, its officers, agents, owners, partners, employees, volunteers and subcontractors shall abide by the provisions of the Minnesota Government Data Practices Act, Minnesota Statutes, Chapter 13 (MGDPA), the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and the Health Information Technology for Economic and Clinical Health Act (HITECH), adopted as part of the American Recovery and Reinvestment Act of 2009, and implementing regulations, if applicable, and all other applicable state and federal laws,

rules, regulations and orders relating to data privacy or confidentiality. The terms of this section shall survive the cancellation or termination of this Agreement.

8. SUCCESSORS AND ASSIGNMENTS

- A. Each party binds itself, its partners, successors, assigns and legal representatives to the other party for all covenants, agreements and obligations contained in the contract documents.
- B. Neither party shall assign, transfer or pledge this Agreement and/or the services to be performed, whether in whole or in part, without the prior written consent of the other party.

9. MERGER AND MODIFICATION

- A. It is understood and agreed that the entire Agreement between the parties is contained herein and that this Agreement supersedes all oral agreements and negotiations between the parties relating to the subject matter. All items that are referenced or that are attached are incorporated and made a part of this Agreement. If there is any conflict between the terms of this Agreement and referenced or attached items, the terms of this Agreement shall prevail.
- B. Any alterations, variations, modifications, or waivers of provisions of this Agreement shall only be valid when they have been reduced to writing as an amendment to this Agreement signed by the parties.

10. DEFAULT AND CANCELLATION

- A. If each party fails to perform any of the provisions of this Agreement or so fails to administer the work as to endanger the performance of the Agreement, it shall be in default. Unless the defaulting party's default is excused by the other party, the non-defaulting party may upon written notice immediately cancel this Agreement in its entirety.
- B. A party's failure to insist upon strict performance of any provision or to exercise any right under this Agreement shall not be deemed a relinquishment or waiver of the same, unless consented to in writing. Such consent shall not constitute a general waiver or relinquishment throughout the entire term of the Agreement.
- C. This Agreement may be canceled with or without cause by either party upon thirty (30) day written notice.

11. SURVIVAL OF PROVISIONS

Provisions that by their nature are intended to survive the term, cancellation or termination of this Agreement include but are not limited to: INDEPENDENT CONTRACTOR; LIABILITY; INSURANCE; DATA PRACTICES; DEFAULT AND CANCELLATION; PROMOTIONAL LITERATURE; and MINNESOTA LAW GOVERNS.

12. CONTRACT ADMINISTRATION

In order to coordinate the services being provided to the Commission with the activities of the Department, Mary L Karius, or successor, shall manage this Agreement on behalf of the County and serve as liaison between the County and the Commission.

13. COMPLIANCE AND NON-DEBARMENT CERTIFICATION

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

14. NOTICES

Any notice or demand which must be given or made by a party under this Agreement or any statute or ordinance shall be in writing, and shall be sent registered or certified mail. Notices to the County shall be sent to the County Administrator with a copy to the originating Department at the address given in the opening paragraph of the Agreement. Notice to the Commission shall be sent to the address stated in the opening paragraph of the Agreement.

15. MEDIA OUTREACH

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

16. MINNESOTA LAWS GOVERN

The Laws of the State of Minnesota shall govern all questions and interpretations concerning the validity and construction of this Agreement and the legal relations between the parties and their performance. The appropriate venue and jurisdiction for any litigation will be those courts located within the County of Hennepin, State of Minnesota. Litigation, however, in the federal courts involving the parties will be in the appropriate federal court within the State of Minnesota. If any provision of this Agreement is held invalid, illegal or unenforceable, the remaining provisions will not be affected.

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COUNTY ADMINISTRATOR AUTHORIZATION

Reviewed by the County Attorney's Office

COUNTY OF HENNEPIN
STATE OF MINNESOTA

Assistant County Attorney

By: _____
David Hough, County Administrator

By: _____
Assistant County Administrator - Public Works

Date: _____

Recommended for Approval

By: _____
Director, Department of Environment and Energy

Date: _____

**Basset Creek Watershed
Management Commission**

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

Printed Name: _____

Signed: _____

Title: _____

Date: _____

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

EXHIBIT A

SCHEDULE OF SERVICES

River Watch is a volunteer monitoring program coordinated by Hennepin County Environment and Energy and highlights a partnership between cooperating cities and watershed Commissions. In the program, teachers and youth volunteers use biological monitoring criteria established by the MPCA to monitor local streams. Teachers use this as a unique hands-on research experience in the classroom setting. The details of the program responsibilities are as follows:

- Take proper precautions to ensure the safety of those involved in activities relating to River Watch.
- Recruit and manage teachers and students to monitor sites within the Minnehaha Creek Watershed.
- Coordinate and facilitate training sessions in field collection techniques and macroinvertebrate identifications including all in-person, hands-on training.
- Provide funds to cover internal teacher costs including busing and substitute teacher pay
- Provide all Quality Assurance/Quality Control checks.
- Manage program finances.
- Manage program contracts.
- Maintain communication with all parties.
- Keep accessible all data sheets, site selection forms, financial records, and reports.
- Provide copies of checked data sheets as requested.
- Coordinate outreach educational opportunities.
- Coordinate volunteer appreciation efforts.
- Develop and distribute Year End Results to all interested parties upon request and via Hennepin County website.



Memorandum

To: Bassett Creek Watershed Management Commission
From: Barr Engineering Co.
Subject: Item 6B – Consider Approval of 50% Design Plans for 2015 Main Stem Restoration Project, Golden Valley (CIP CR2015)
BCWMC March 19, 2015 Meeting Agenda
Date: March 11, 2015
Project: 23270051 2015 630

6B Consider Approval of 50% Design Plans for 2015 Main Stem Restoration Project, Golden Valley (CIP CR2015)

Summary:

Proposed Work: 2015 Main Stem Restoration Project (CIP CR2015)

Basis for Commission Review: 50% Design Plans Review

Change in Impervious Surface: N.A.

Recommendations:

- 1) Conditional approval of 50% drawings
- 2) Authorize the City of Golden Valley to proceed with final plans and contract documents

The 2015 Bassett Creek Main Stem Restoration project (CIP CR2015) is being funded by the BCWMC's ad valorem levy (via Hennepin County). The City of Golden Valley provided the 50% design plans to the BCWMC for review and comment, as set forth in the BCWMC CIP project flow chart developed by the TAC.

Feasibility Study Summary

The City of Golden Valley completed the 2015 Bassett Creek Main Stem Restoration Project Feasibility Report (WSB, June 10, 2014) to examine the feasibility of restoring sites along the 9,500-foot reach of the creek from 10th Avenue North and Rhode Island Avenue North. The feasibility report identified 29 sites where bank erosion, bank failure, and infrastructure repairs were needed, in addition to removal of debris, fallen trees, gabion baskets, and block walls.

The feasibility report identified two restoration design options for the project: 1) a bioengineering (or soft armoring) approach that uses techniques that rely primarily on vegetation, and 2) a more structural (or hard armoring) approach that uses rock and other non-vegetative materials. Both approaches included the use of stone toe armoring. In the bioengineering approach, the stone toe was one foot high, while in the hard armoring approach, the stone toe was two feet high. Both approaches also included a section of

To: Bassett Creek Watershed Management Commission
From: Barr Engineering Co.
Subject: Item 6B – Consider Approval of 50% Design Plans for 2015 Main Stem Restoration Project, Golden Valley (CIP CR2015)
Date: March 11, 2015
Page: 2
Project: 23270051 2015 630

six-foot high fieldstone boulder. The bioengineering approach included biologists, biologists with a stone toe, root wads, rock vanes, live fascines (dormant willow and dogwood cuttings), live stakes, and vegetated reinforced slope stabilization (VRSS). The more structural approach included two-foot high stone toe, and nine-foot high fieldstone boulder.

The feasibility report estimated that the bioengineering/soft armoring approach would require the removal of approximately 800 trees, while the more structural/hard armoring approach would require the removal of approximately 400 trees. A combination of these two options was preliminarily selected as a preferred option in many of the restoration areas.

The following text, quoted from the feasibility report, provided the approach the city would use in selecting the design option for each particular site:

The selection of the best option for a given stream reach will be based on a number of factors including but not limited to; ease of and ability to obtain access for installation and future maintenance, slope of creek bank, presence of mature trees in the area and need to remove trees, exposure of creek bank to sunlight, velocity of flow in channel reach, and property owners' preferences for type of treatment.

Since selection of the type of treatment used in a given area will need the support of the property owner, the City will need to finalize the design approach as a collaborative effort with the property owner. At this time, based on our review of the feasible options available and input from a number of property owners that attended a public informational meeting on the project, it is anticipated that either the vegetative or hybrid option would be selected for most areas of the channel requiring stabilization work.

The feasibility report estimated that project implementation would reduce the total phosphorus load by 60 – 100 pounds per year and the total suspended sediment load by 140,000 – 200,000 pounds per year.

50% Design Plans

The 50% design plans include a combination of the two stabilization measure options (bioengineering and hard armoring), including biologists and stone toe, biologists and boulder toe, boulder wall, vegetated bench (which includes stones and live fascines), intermittent stone toe, and slope shaping. The design plans also include infrastructure repairs, and removal of debris, fallen trees, gabion baskets, and block walls. The 50% design plan sheets show the total approximate tree removal to be from 427 to 457 trees.

The 50% design generally relies more on toe stabilization from bioengineering measures (12-inch biologists with 6- to 12-inch stones) rather than pure hard armoring (30- to 34-inch stones). However, the design does not include the root wads, rock vanes, and VRSS that were part of the bioengineering options in the feasibility study. These in-stream structures can add significant stream bank stability while also providing habitat diversity within the channel. If a bioengineering approach is to be pursued, it is recommended that

To: Bassett Creek Watershed Management Commission
From: Barr Engineering Co.
Subject: Item 6B – Consider Approval of 50% Design Plans for 2015 Main Stem Restoration Project, Golden Valley (CIP CR2015)
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the plans be modified to include features such as root wads, rock vanes, and VRSS, as included in the feasibility study. This is especially important for the more-sinuuous stream sections, such as from 67+00 to 81+00 (Area D).

The 50% design plans call for an intermittent stone toe in two sections where the feasibility study recommended continuous riprap stabilization (48+00 to 53+50 (Area C) and 62+50 to 65+25 (Area D)). More details should be provided about why more-robust bank stabilization is not needed. If erosive stress is generally low, placing intermittent stone toes may lead to localized scour and erosion and create the need for stabilization in the future. In such a situation, it is recommended that the plans not include intermittent stone toes.

The feasibility study included significant installations of either VRSS (bioengineering option) or a 9-foot tall boulder wall (hard armoring option) to stabilize the right bank from 68+50 to 71+00 (Area D). The 50% plans include biolog and single boulder toe stabilization in this area. More details should be provided regarding the adequacy of the proposed design to stabilize this slope.

The submitted drawings were at a 50% design stage, which means there are a number of details yet to be worked out before the design is final, including coordination with local property owners. The Commission Engineer expects the majority of the comments below to be addressed in the 90% design stage drawings.

Recommendations

A. Conditional approval of 50% drawings based on the following comments, recognizing that the current plans are preliminary:

- 1) The BCWMC does not allow filling in the floodplain unless compensatory storage is created, or it can be demonstrated that the fill will not adversely impact upstream flood levels. Although the current design does not include significant earthen fill areas, the riprap and boulders that will be added to the channel banks may constitute fill. Modeling or other documentation must be submitted to verify no change in the flood level caused by the proposed design.
- 2) Modeling or other documentation should be provided to verify that the proposed rock sizes are adequate to meet the design stability criteria.
- 3) Given the number of trees that are proposed for removal, the design should consider including root wads or toe wood structures for outside bend stabilization and habitat improvement as a cost-effective stabilization measure.
- 4) If a bioengineering approach is to be pursued, it is recommended that the plans be modified to include features such as root wads, rock vanes, and VRSS as included in the feasibility study. This is especially important for the more-sinuuous stream sections, e.g., from 67+00 to 81+00 (Area D).
- 5) More details should be provided about why more-robust bank stabilization is not needed from 48+00 to 53+50 (Area C) and from 62+50 to 65+25 (Area D), where the 50% design plans call for

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an intermittent stone toe, but the feasibility study recommended continuous riprap stabilization. If erosive stress is generally low, placing intermittent stones may lead to localized scour and erosion and create the need for stabilization in the future. In such a situation, it is recommended that the city consider not including intermittent stones in the plans.

- 6) More details should be provided regarding the adequacy of the proposed biolog and single boulder toe stabilization design to stabilize the right bank of the stream from 68+50 to 71+00 (Area D); the feasibility study proposed significant installations of either VRSS (bioengineering option) or a 9-foot tall boulder wall (hard armoring option).
- 7) The feasibility study included the following work items that do not appear on the 50% design plans:
 - Removal of an 80-foot long block wall at 63+80 (Area D).
 - Turf reinforcement mat on the peninsulas at 76+00 and 77+00 (Area D).
 - Removal of gabion baskets at 86+50 (Area E).

The revised plans need to include the above items, if they are part of the project.

- 8) Instructions for the contractor to limit tree clearing as much as possible and only at the direction of the Engineer should be included on the plans.
- 9) The construction area and access routes are not clearly identified on all plan sheets. In addition, restoration of site access must be included on the drawings.
- 10) Erosion control measures, including in-stream measures as appropriate and measures to control erosion from access and staging areas, must be included on the drawings.
- 11) Proposed seed mixes and other vegetation (live plantings, dormant stakes, etc.) for restoration of the disturbed slopes should be included on the plans.
- 12) Elevations and upstream/downstream stationing should be provided for all proposed toe stabilization measures. Relevant elevations such as the bankfull elevation or top of boulder walls could be shown by including a stream profile or callouts for individual structures.
- 13) Sheet 2 (Area A): For the gabion removal at 8+00, the feasibility study discussed removal of both gabions and grouted riprap. The drawings should clarify whether grouted riprap is to be removed as well.
- 14) Sheet 4 (Area C):
 - a. Elevations should be provided for the fieldstone boulders from 58+70 to 59+70. Also, it should be clarified whether this stabilization is intended for both sides of the stream or only one side.

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- b. For the manhole installation at 50+90, the plan sheet or detail should specify the rim, upstream invert, and downstream invert elevations and whether a sump is to be provided in the manhole. Bedding requirements for the manhole and piping should be shown in a detail. Also, the length of the outflow 12" RCP pipe should be specified.
- 15) Sheet 5 (Area D):
- a. The drawings should clarify whether "reinstall sheetpiling" at 63+20 includes driving sheet pile into stream bed, or simply attaching the new FES to existing sheet pile.
 - b. Elevations and stationing should be provided for boulder walls (new and repair of existing) and for the extents of the "previously repaired areas" (at approximately 75+00) where limited work is to be performed.
- 16) Sheet 6 (Area E): The overall note on the plan sheet indicates slope shaping, but there is not a corresponding detail on the details sheets.
- 17) Sheet 7 (Details):
- a. Elevations for rock installation, vegetated bench, and boulder wall should be referenced in the details and provided on the plan sheets or in a summary table.
 - b. The note referencing the constraint of no net cut/fill requires additional documentation to verify that the proposed boulder and stone installation does not change the upstream flood levels. (See also comment 1.)
 - c. A detail is included for fieldstone riprap installation, but no areas of fieldstone riprap installation are included in the plan sheets.
- 18) Sheet 8 (Details): A detail is included for live stakes, but no areas of live staking are included in the plan sheets.
- 19) Sheet 9 (Details):
- a. The FES sheet piling detail states "this drawing is typical for all flared end sections." However, it does not appear from the plan sheets that sheet piles are intended or currently in place at all FES replacement locations. This should be clarified on the drawings by identifying the appropriate detail for each installation.
 - b. For riprap at FES outlets, it is recommended that the city consider using filter aggregate (MNDOT Spec. 3601) below riprap rather than fabric for in-stream applications.
- B. Authorize the City of Golden Valley to proceed with final plans and contract documents.



Alum treatment: Protecting the water quality of Twin Lake



With the goal of improving water quality in Twin Lake, the Bassett Creek Watershed Management Commission and City of Golden Valley plan to treat the lake with aluminum sulfate (alum) in 2015. As a lake-area resident you may have some questions about alum treatment. We hope this information sheet answers those questions. You'll also have an opportunity to learn more at a public meeting scheduled for March 19 (see information box at right).

Alum: frequently asked questions

Why treat the lake with alum?

The alum treatment will provide safe, effective control of algae in Twin Lake for 20–30 years or longer. The result will be cleaner, clearer water for recreation.

What does alum do?

Alum (aluminum sulfate) is derived from aluminum. It has been used in water purification and wastewater treatment for centuries and in lake restoration for decades. The chemical reduces the growth of algae by trapping phosphorus in the lake sediments.

Where does phosphorus come from?

- From external sources such as stormwater runoff or groundwater.

- From internal sources—phosphorus that has already accumulated in lake-bottom sediments and is periodically re-suspended in the summer.

Project partners have worked to control external sources of phosphorus. But, even when external sources have been reduced, phosphorus that is recycled from the lake's sediments into the overlying waters can support explosive algal growth. This process, frequently referred to as *internal loading*, can be controlled by alum.

How does alum work?

Alum is injected into the lake, several feet below the water's surface. Upon contact with the water it becomes aluminum hydroxide, taking the form of a fluffy substance called *floc*. This floc works to improve water quality in two ways:

1. As it settles to the bottom of the lake, the floc interacts with phosphorus to form aluminum phosphate, an insoluble compound. In this state the phosphorus can no longer be used by algae for food. Other suspended particles are also collected by the floc, leaving the water noticeably clearer.

Public meeting

Alum treatments in Twin Lake

- Date: March 19, 2015
- Time: 6:30–8 p.m.
- Place: Golden Valley City Hall Council Chambers
- Address: 7800 Golden Valley Road

For additional information, please contact Tom Hoffman at 763-593-8044 (thoffman@goldenvalleymn.gov).

2. On the bottom of the lake, the floc forms a layer which binds with phosphorus as it is released from the sediment. This produces a "blanket" over the sediment, reducing internal loading.

How long does it take to complete an alum treatment project?

Alum treatments are generally made either in the late fall or early spring over a period of 7–10 days.

How quickly will results be seen?

Lake transparency will increase dramatically, even within a few hours. Reductions in algae should be noticeable within one year.

How long will the alum treatment last and how can we extend the effectiveness of the treatment?

Since Twin Lake does not receive much phosphorus from *external* sources, the alum treatment is expected to maintain the lake's water quality for 20–30 years, or longer.

We can extend the effectiveness of the treatment by limiting the phosphorus that enters the lake from surface runoff. Leaves, grass clippings, eroded soil, fertilizers, and animal droppings are examples of phosphorus-rich materials carried by surface runoff.

The effectiveness of alum can also be increased by splitting the full alum treatment into multiple applications. Two applications will be used to treat Twin Lake.

Will recreation/aesthetics be affected?

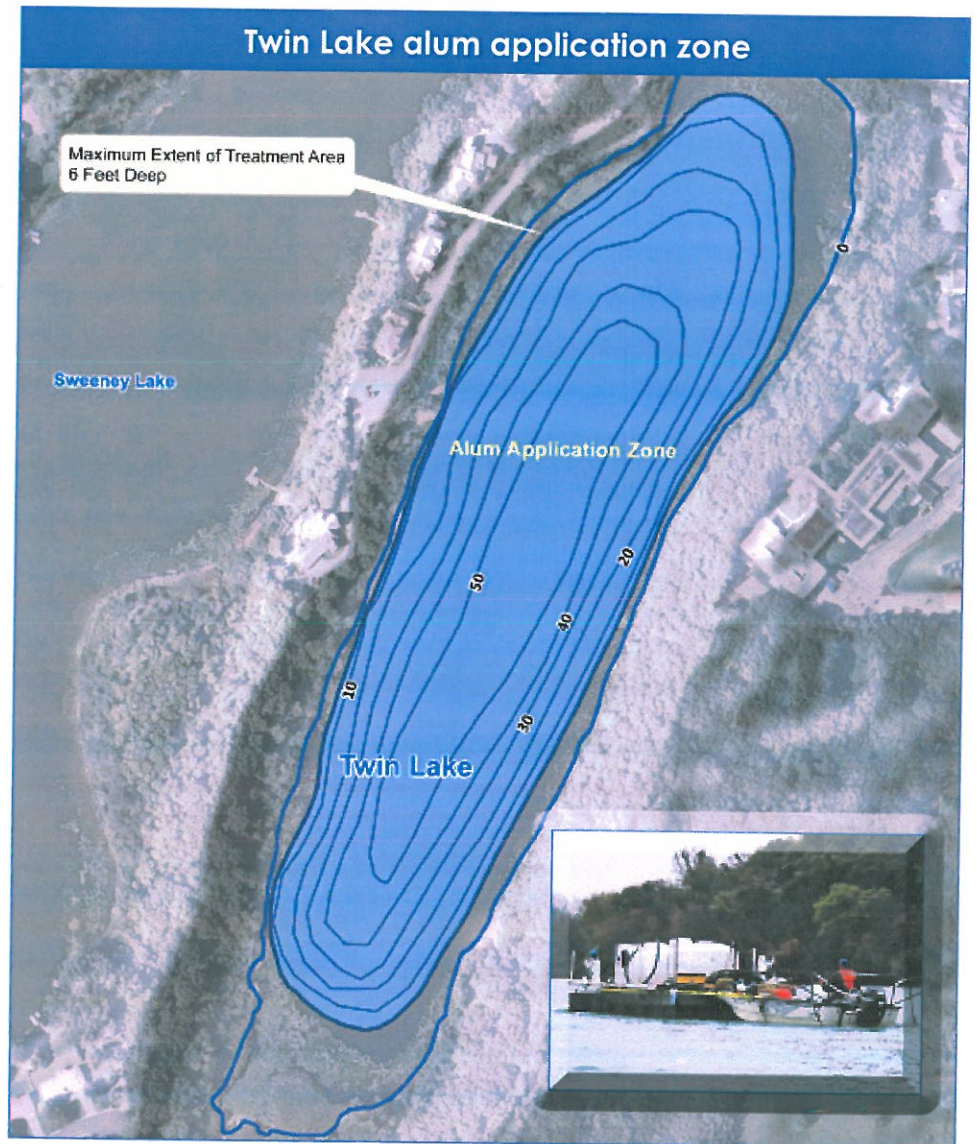
Treatment is planned during times of the year when lake water temperatures would discourage in-lake recreational activities. Swimming, canoeing and boating can continue during treatment; however, direct contact with the alum barge should be avoided.

Because application of the alum takes place in relatively deep water (6 or more feet), it is unlikely that the floc would be visible in shallow, recreational areas.

Is alum safe?

Yes. There is no evidence to suggest that aluminum ingested in water poses a health threat. Water treatment plants throughout the United States use hundreds of thousands of tons of alum annually and many municipalities use it for wastewater treatment. The floc is harmless to water creatures and aquatic plants; no adverse effects on spawning habitat have been documented.

The Food and Drug Administration, the U.S. Environmental Protection Agency, and leading medical experts all concur that **aluminum is not a risk factor** for any diseases or health conditions.



Above: The figure shows the extent of the alum treatment area; inset is a photo of an alum treatment barge. Below: Photos of Spring Lake before (left) and after alum treatment (right) by the Prior Lake-Spring Lake Watershed District.



Division 2 – Technical Specifications

SECTION 02400

CHEMICAL TREATMENT

PART 1: GENERAL

1.01 DESCRIPTION

- A. All Work included in this Section shall be performed in accordance with the following paragraphs, the General Requirements set forth in Division 1 of these Specifications, and the provisions of the other Contract Documents.
- B. Work covered by this section includes furnishing all supervision, labor, materials, and equipment required to supply, deliver, store and apply aluminum sulfate to Twin Lake, shown on Figure 1. The Contractor shall:
 - 1. Furnish, deliver, store and apply liquid aluminum sulfate to Twin Lake to mitigate the internal release of phosphorus from the lake sediment.
 - 2. Treat at appropriate weather, temperature, and flow conditions as directed by the Engineer.
 - 3. Furnish, install and remove all appropriate signage and buoys (if used) in a timely manner.
 - 4. Restore all areas directly or indirectly disturbed by the Work.
 - 5. All other Work required for a completion of the aluminum sulfate treatment as a project whole.

1.02 REFERENCES

- A. AWWA B403-88 American Water Works Association Standard for Aluminum Sulfate.

1.03 SEQUENCE OF WORK

- A. Aluminum treatment shall not begin until chemical applicator (Contractor) is approved by Owner. Treatment is to occur once in the spring of 2015 (see 3.05.E for the specifics on the aluminum sulfate application timing).
- B. The Contractor shall be responsible for all labor, aluminum sulfate, aluminum sulfate application equipment and arrangements for the timely delivery of aluminum sulfate required to complete the project.
- C. Aluminum application shall be conducted according to ARTICLE 8 – Instruction to Bidders.

1.04 SUBMITTALS

- A. The Contractor shall submit a spill prevention and contingency plan to Engineer for review prior to beginning Work on the Project.
- B. The Contractor shall submit certificate(s) indicating all materials meet requirements of these Specifications before treatment occurs. The Contractor shall submit the item, applicable reference specification, class, type, manufacturer, and distributor. The Contractor shall also submit the results of aluminum sulfate lot testing of materials delivered to the site, including an analysis of the metals content of the material, before treatment.
- C. The Contractor shall submit GPS coordinates and corresponding application rates and amounts of aluminum sulfate applied to the lake. This data shall be collected by the Contractor in real-time during the application and submitted to Engineer on a daily basis.

1.05 BASIS FOR COMPENSATION

- A. Compensation for all Work covered under this section of these Specifications shall be in accordance with the provisions set forth in Section 01010, Unit Price Measurement and Payment.

PART 2: PRODUCTS

2.01 CHEMICALS

A Aluminum Sulfate (Alum)

- 1. Liquid aluminum sulfate supplied shall meet the requirements of AWWA B403-88. The liquid aluminum sulfate [$\text{Al}_2(\text{SO}_4)_3 \cdot 14.3(\text{H}_2\text{O})$] shall be of commercial grade appropriate for the application with an aluminum content of 4.4% Al^{+3} (Aluminum) by weight.

PART 3: EXECUTION

3.01 DELIVERY, STORAGE AND HANDLING

- A. The Contractor shall provide the name and location of the proposed chemical supplier with the Bid, and will be responsible for all coordination with the aluminum supplier necessary to insure timely delivery to the project site. The Contractor shall confine all storage of equipment and materials within the Project Limits and otherwise in a safe, secure and environmentally sound manner. Conformance to these requirements shall be determined by the Contractor, subject to disapproval of the Engineer, whose failure to disapprove does not, however, constitute any shift of responsibility to properly handle equipment and materials from Contractor to Engineer. Tank Truck haul routes and site access shall be as directed by Owner. If gradual off-loading is required the contractor shall be responsible for all demurrage charges.

- B. The Contractor shall provide notice to Owner of delivery of equipment and materials seven days prior to the delivery date.
- C. The Contractor shall maintain a copy of the spill prevention and spill contingency plan described in the Bid on site for the duration of the project.

3.02 UNFAVORABLE TREATMENT CONDITIONS

- A. Application of aluminum shall not occur when wind speeds 6 feet above the lake surface exceed 10 miles per hour.
- B. Application of aluminum shall not occur if it can be reasonably expected (forecast) that a significant precipitation event (greater than 1 inch in 24 hours) shall occur during treatment or begin within 24 hours after treatment completion.

3.04 LOCATION OF WORK

- A. Project Limits shall be the entire water surface area of Twin Lake and access area indicated on Figure 1 except for a 20 foot buffer zone around the shoreline of Twin Lake. The contractor shall not apply aluminum outside the indicated area on Figure 1 in the Drawings.

3.05 ALUMINUM APPLICATION

- A. The Contractor shall conduct the aluminum sulfate application utilizing a barge or similar vessel with an Engineer approved injection system that allows for uniform application of liquid aluminum sulfate at variable boat speeds. Aluminum sulfate application shall be made to the indicated area of Twin Lake shown in Figure 1.
- B. The Contractor shall ensure that the aluminum sulfate is **evenly distributed throughout the treatment area and that the appropriate dose is applied to the appropriate zone shown in Figure 1**. The Contractor shall maintain records to verify the area of coverage (also see Section 1.04).
- C. Engineer will monitor the ambient pH in **Twin Lake** during the aluminum sulfate treatment application. If at any time during treatment, the depth-averaged ambient pH in the lake falls below 6.5 or increases above 9 S.U., Contractor will stop the treatment. Treatment will not resume until authorized by the Engineer.
- D. The aluminum sulfate treatment shall be made at a sufficient rate to insure long term sediment phosphorus inactivation, as determined by the Engineer. Unless advised otherwise by the Engineer, the Contractor shall apply aluminum sulfate at a dose rate of **920** gallons per acre.
- E. The Engineer estimates that this treatment rate will require a total of **15,000** gallons of commercial grade (4.4% Al³⁺ Aluminum) liquid aluminum sulfate [Al₂(SO₄)₃•14.3(H₂O)]. It is Contractor's responsibility to ensure that enough material is available to complete the Work in accordance with the dosing requirements stated herein.

- F. The aluminum sulfate application must be complete before the surface temperature of Twin Lake has risen above 60° F. Application of aluminum sulfate shall not occur if it can be reasonably expected that the surface temperature of Twin Lake will drop below 40° F within 24 hours after treatment completion.
- G. The Contractor shall keep daily records acceptable to the Engineer and available for review as a basis for and substantiation of payment. Daily logs shall minimally state the following:
 - a. Hours of aluminum application
 - b. The quantity of aluminum applied
 - c. The approximate acreage and volume treated
 - d. Explanation of any downtime

END OF SECTION 02400

DRAFT



Item 6D.
 BCWMC 3-19-15
 CIP table and project sheets
 included in 6Di.

Memorandum

To: Bassett Creek Watershed Management Commission
From: Technical Advisory Committee
Subject: March 5, 2015 Technical Advisory Committee Meeting
Date: March 10, 2015

The Technical Advisory Committee (TAC) met on March 5, 2015. The following TAC members, city representatives, BCWMC commissioners, and BCWMC staff attended the meeting:

City	TAC Members/Alternates	Other City Representatives
Crystal	Wayne Houle	
Golden Valley	Jeff Oliver	Eric Eckman
Medicine Lake	Commissioner Clint Carlson	
Minneapolis	Lois Eberhart	
Minnetonka	Liz Stout	
New Hope	Bob Paschke	Chris Long
Plymouth		
Robbinsdale	Richard McCoy	
St. Louis Park	Erick Francis	
BCWMC Staff & Others	Karen Chandler and Jim Herbert (Barr Engineering), Laura Jester (Administrator), Alternate Commissioner Pat Crough	

The meeting opened at approximately 1:37 p.m. Introductions were made around the table. Liz Stout announced that Minnetonka Director of Engineering, Lee Gustafson, is leaving the City for employment with a consulting firm. There were no other communications by TAC members. The Technical Advisory Committee (TAC) forwards the following recommendations and information to the Commission.

1. Finalize 2017 – 2021 CIP List and Develop More Detail for 2022 – 2025 CIP List

The TAC reviewed changes to Table 5-3 of the draft Watershed Management Plan that were made according to discussions at the last TAC meeting and additional cost estimates developed by the Commission Engineer. Commission Engineer Chandler reported that some cost estimates were derived using TMDL implementation plans; others were estimated from previous similar projects. The Commission Engineer noted that these figures are simply good faith estimates to be used as a starting point in the table. There was discussion about the "total estimated costs" line in the table. It was noted that this "total" line does not necessarily reflect what the Commission would levy through the County, but instead indicates how much funding would be spent on improvement projects throughout the watershed over the life of the Plan. It was noted the cost to the Commission for each project could be different from the total project cost due to the use of city funds (such as

in the case of the 2016 projects), grants, funding from developers, and the use of funds left over from previous projects (closed project account funds). Administrator Jester noted the Commission recently approved changes to some of its fiscal policies and did not set a particular desired levy amount but stated that the levy amount should be relatively stable from year to year. The Commission also recently acknowledged that its usual \$1 million levy is not likely to cover the costs of typical projects in the future.

Ms. Eberhart asked that a project be added to the table to improve and stabilize the historic Bassett Creek channel in Minneapolis. The group decided to add this project to the CIP for the year 2020 for \$500,000. Mr. Eckman asked that two main stem streambank stabilization projects in Golden Valley be added to the CIP: one project between Hwy 169 and Hwy 55 and the other between Bassett Creek Drive and Golden Valley Road. He noted this second reach is a higher priority because it's adjacent to Rice Lake and Mary Hills Nature Areas. The group agreed to add this project to the CIP for the year 2021 for \$500,000. He also noted the first reach is a lower priority and could be implemented in a later year (i.e., after 2021); the project will be added to Table 5-3.

Regarding other revisions needed for Table 5-3, the group wondered if projects levied but not yet constructed should be somehow so noted in the table. Staff will work on making those revisions with the Plan Steering Committee when considering other revisions to the draft Plan.

Recommendations

The TAC recommends the attached list of projects and estimated project costs (Table 1) for the Commission's Capital Improvement Program 2017 – 2021.

2. Finalize Recommendations for XP-SWMM Phase II Project

Administrator Jester reminded the group of the discussion on this item at the February 2, 2015 TAC meeting and indicated she hoped to get a decision regarding this project – either to delay the start of the project indefinitely, begin the project this year using Flood Control Project Long Term Maintenance Funds, or plan to begin and budget for the project in 2016.

Mr. Oliver noted that examples of the need for an accurate and detailed model come up regularly in Golden Valley and Minneapolis; the Blue Line LRT being the most important example right now. Ms. Eberhart agreed and noted a complete watershed model is the responsibility of the whole Commission. There was discussion about how the Commission can use the model inputs that the Met Council uses for the Blue Line project to gain some efficiency and cost savings in the development of a Commission XP-SWMM model in the downstream end of the watershed. There were questions about the usefulness of the current model. Commission Engineer Chandler noted that an updated and more detailed model (Phase II) would be reliable for generating real numbers (rather than relative values). She reminded the group that unrealistic inputs had to be used in the current model due to significant problems calibrating the model. She reported the Phase II model could be submitted to FEMA (if the Commission chose to do so) and could eventually be approved as the new floodplain model that all agencies would use. After a question about ongoing model maintenance costs, Commission Engineer Chandler reported that she expected costs to be similar to the annual P8 model maintenance (depending on the year and the amount of change in the watershed) and could be around \$10,000 - \$15,000/year.

Recommendations

Through an official motion by Ms. Eberhart with a second by Mr. Oliver and unanimously approved by those present: The TAC recommends that the Commission begin the XP-SWMM Phase II project in 2015 using Flood Control Project Long Term Maintenance Funds; to seek additional funding for the project from other sources; and to complete the project in as short a time frame as possible (with 2 years being preferred). Upon a vote, the motion passed unanimously.

3. Discuss Communication Protocols Among Cities, Developers, and Commission

Commission Engineer Herbert distributed and reviewed a flow chart describing the flow of communication during Commission project and development reviews. Administrator Jester also reminded the committee of the flow chart provided by Mr. Asche that's used in the City of Plymouth for questions related to storm water requirements. Mr. Oliver noted that there is occasionally a problem with developers contacting the Commission before talking to the city. He noted the city wants to stay in communication and to learn of developer's plans before they talk to the Commission. Administrator Jester noted that the BCWMC website was recently changed to better instruct developers to first contact their cities regarding proposed projects. She also noted when she fields calls from developers she always directs them to the city staff. Commission Engineer Herbert said, based on previous BCWMC direction, they sometimes answer basic questions from developers or send a general response email (if correspondence is via email) outlining BCWMC requirements and referring applicants to also contact the City. He noted the Commission Engineer will change the practice to first direct developers or other project proposers to contact city staff. Although the intent of the communication flowchart was for the TAC discussion, the group suggested some changes to Commission Engineer Herbert's flow chart and discussed whether an organizational chart, communication chart, or FAQ sheet should be drafted for developers and project proposers. Administrator Jester and the Commission Engineer agreed to continue making sure city staff are contacted by developers and others before Commission staff.

Recommendations

The TAC recommends that Commission staff work on developing a communication flow chart and/or "frequently asked questions" for use by developers and project proposers; and that Commission staff make sure that when developers and project proposers contact the Commission, they are first directed to the appropriate city staff person.

The TAC meeting adjourned at approximately 3:30 p.m.

Future TAC Meeting agenda items:

1. Developing guidelines for annualized costs per pound pollutant removal for future CIP projects
2. Agreements with cities to get credit for Commission education programs in MS4 permits
3. Revisions needed for Requirements Document
4. Stream identification signs at road crossings
5. Look into implementing "phosphorus-budgeting" in the watershed – allow "x" pounds of TP/acre.

Project Category: Water Quality

Project Title: Main Stem Channel Restoration, Cedar Lake Road to Irving Avenue, Minneapolis

Total Estimated Cost: \$800,000

Project Number: 2017CR-M

Description:
 This project is one of the BCWMC's recommended stream channel restoration projects to restore stream reaches damaged by erosion or affected by sedimentation. The identified measures include installing stream stabilization measures to address erosion problems, grading reaches of streambank, stabilizing storm sewer outfalls that discharge into the channel, and establishing new vegetation on areas disturbed by construction.

Source of Project Funding	2013	2014	2015	2016	2017
CIP account – BCWMC ad valorem levy through Hennepin County					\$800,000

Justification:

This project will provide water quality improvements by repairing actively eroding sites, and preventing erosion at other sites by installing preemptive measures to protect existing streambanks.

Scheduling and Project Status:

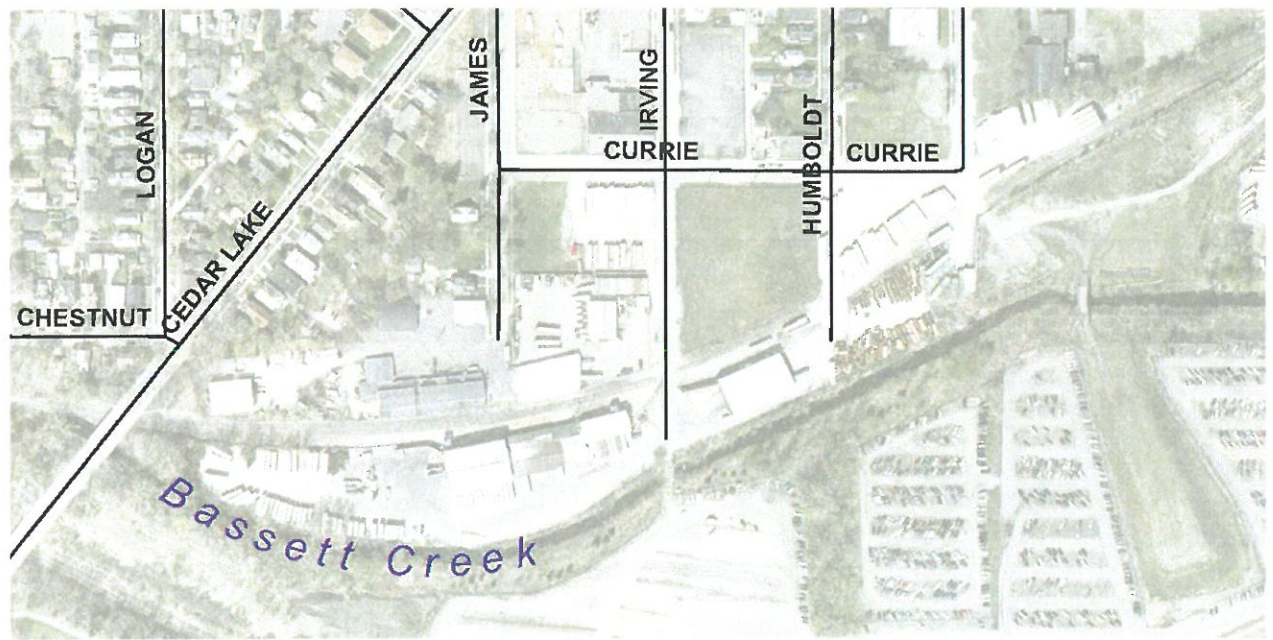
A Feasibility Report was completed in 2011 for the 2012/2013 project upstream of this one (BCWMC Account Number 2012CR, Main Stem Restoration for sites between Golden Valley Road and Cedar Lake Road). That Feasibility Report provides preliminary analysis and information for the 2017 project (for sites between Cedar Lake Road and Irving Avenue). A new or revised Feasibility Report will be needed with greater detail about the 2017 project sites.

Relationship to General Plan and Other Projects:

This project is consistent with the goals and policies of the BCWMC Watershed Management Plan. Although this reach is not included in the BCWMC Resource management Plan, it fits with the intent of it due to its proximity and similarity to the other stream projects included in the RMP.

Effect on Annual Operations Costs:

No effect.



Project Category: Water Quality

Project Title: Plymouth Creek Stream Restoration – Annapolis Lane through Plymouth Creek Park

Total Estimated Cost: \$600,000

BCWMC Project Number: 2017CR-P

Description:

This project in the city of Plymouth will include bank stabilization and erosion repair methods and will remove obstructions as necessary. Consideration should be given to a variety of best management practices including coir logs, erosion control blanket, live staking, cross veins, riffles, rip-rap, and buffers.

Source of Project Funding	2015	2016	2017	2018	2019
CIP Account – BCWMC ad valorem tax levy through Hennepin County			\$200,000	\$400,000	

Justification:
 The City of Plymouth erosion inventory along Plymouth Creek, includes erosion and obstructions from Annapolis Lane, 2,500 feet upstream through Plymouth Creek Park. Rehabilitation and repair of Plymouth Creek in this area is consistent with BCWMC goals regarding water quality.

Scheduling and Project Status:
 A Feasibility Study should begin on or about April 1, 2015. This project is anticipated for construction during the winter of 2016-2017.

Relationship to General Plan and Other Projects:

This project is consistent with the goals and policies of the BCWMC Watershed Management Plan and is included in the City of Plymouth CIP.

Effect on Annual Operations Costs:

This project has no effect on BCWMC Annual Operations Costs.



Project Category: Water Quality

Project Title: Main Stem Water Quality Improvement Sites – Wirth Park (north of Plymouth Ave, east of Wirth Pkwy)

Total Estimated Cost: \$1,100,000

BCWMC Project Number: BC-3

Description:

This project will include construction of a water quality pond or similar storm water treatment facility benefitting the main stem of Bassett Creek.

Source of Project Funding	2015	2016	2017	2018	2019
CIP Account – BCWMC ad valorem tax levy through Hennepin County				\$601,000	\$499,000

Justification:

This water quality improvement project will remove sediment and pollutants from storm water runoff in the residential and park areas generally located north of Plymouth Ave and east of Theodore Wirth Pkwy. Improving water quality in Bassett Creek is consistent with BCWMC goals.

Scheduling and Project Status:

A feasibility study will need to be prepared for this project. A minor plan amendment will also be required. Construction of the project is anticipated for 2018.

Relationship to General Plan and Other Projects:

This project is consistent with the goals and policies of the BCWMC Watershed Management Plan and is included in the plan as a “potential future” CIP project (Table 12-3). Per the Bassett Creek Main Stem Watershed Management Plan (2000), this project would treat the storm water runoff from a 115-acre area and remove an estimated 131 pounds of phosphorus per year. The project is included in the BCWMC Resource Management Plan. A minor plan amendment will be required to add this project to the BCWMC CIP.

Effect on Annual Operations Costs:

This project has no effect on BCWMC Annual Operations Costs.



Project Category: Water Quality & Flood Control

Description:

Project Title: Sandburg & Louisiana Water Quality Improvement and Flood Reduction Project

This project will include construction of improvements to improve water quality and reduce flooding in the DeCola Ponds area. The improvements will be made in the area south of the intersection of Sandburg Rd and Louisiana Ave.

Total Estimated Cost: \$501,000

BCWMC Project Number: BC-2 / BC-8

Source of Project Funding	2015	2016	2017	2018	2019
CIP Account – BCWMC ad valorem tax levy through Hennepin County					\$501,000

Justification:

This flood reduction and water quality improvement project in the area south of the intersection of Sandburg Rd and Louisiana Ave will help protect nearby residences from flooding and remove sediment and pollutants from storm water runoff generated by the surrounding industrial area. Reducing flooding impacts and improving water quality in Bassett Creek is consistent with BCWMC goals.

Scheduling and Project Status:

A feasibility study will need to be prepared for this project. A minor plan amendment will also be required. Construction of the project is anticipated for 2019.

Relationship to General Plan and Other Projects:

This project has been added back in to replace projects BC-2 and BC-8 and will be constructed as one project west of original BC-2 location.

This project is consistent with the goals and policies of the BCWMC Watershed Management Plan. Projects BC-2 and BC-8 are included in the plan as “potential future” CIP projects (Table 12-3). Per the Bassett Creek Main Stem Watershed Management Plan (2000), project BC-2 would remove an estimated 67 pounds of phosphorus per year. Projects BC-2 and BC-8 were included in the BCWMC Resource Management Plan. A minor plan amendment will be required to add this project to the BCWMC CIP. The cost is a placeholder cost estimate. Project cost estimate expected in 2013.

Effect on Annual Operations Costs:

This project has no effect on BCWMC Annual Operations Costs.



Project Category: Water Quality

Project Title: Bryn Mawr Meadows Water Quality Improvement Site, Minneapolis

Total Estimated Cost: \$500,000

Project Number: BC-5

Description:
 This project was described as Option 7 in the Bassett Creek Main Stem Watershed Management Plan (June 2000). The project consists of the construction of a new stormwater Best Management Practice (BMP) in a park near the intersection of Morgan Ave and Laurel Ave, in the City of Minneapolis.

Source of Project Funding	2017	2018	2019	2020	2021
CIP account – BCWMC ad valorem levy through Hennepin County			\$500,000		

Justification:
 As described in 2000, the BMP would treat runoff from 209 acres of land and would remove an estimated 22 lbs. of phosphorus per year, on average.

Scheduling and Project Status:
 A feasibility study will need to be prepared for this project. As the project progresses, additional information will be provided.

Relationship to General Plan and Other Projects:
 This project is consistent with the goals and policies of the BCWMC Watershed Management Plan and is included in the BCWMC's Resource Management Plan.

Effect on Annual Operations Costs:
 Not known at this time. This will be identified in the Feasibility Study.



Project Category: Water Quality

Project Title: Medley Park Pond –
Medicine Lake Watershed

Total Estimated Cost: \$500,000

BCWMC Project Number: ML-12

Description:

This project in the City of Golden Valley will include construction of a storm water treatment pond. Built in the City's Medley Park, the pond will remove phosphorous and sediment from runoff. The park currently has poor soils which are not conducive to recreational programming.

Source of Project Funding	2016	2017	2018	2019	2020
CIP Account – BWCMC ad valorem tax levy through Hennepin County					\$500,000

Justification:

Stormwater runoff from the roughly 100 acre watershed in the northwest section of the City of Golden Valley currently flows into ponds on the western side of Medley Park. The proposed stormwater pond would add storage and treatment capabilities to the existing ponds and would remove solids and phosphorous upstream of Medicine Lake.

Scheduling and Project Status:

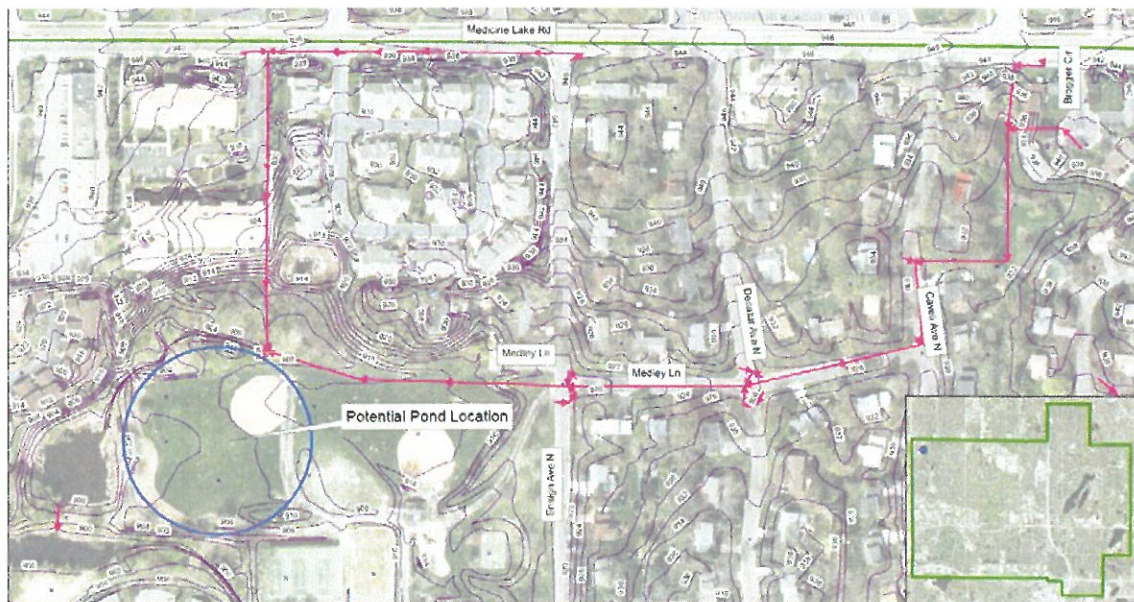
The project is currently in the very early stages. Design and construction has not yet been scheduled.

Relationship to General Plan and Other Projects:

This project is consistent with the goals and policies of the BWCMC Watershed Management Plan and will be included in the City of Golden Valley CIP.

Effect on Annual Operations Costs:

This project will have no effect on BCWMC Annual Operations Costs.



Medley Park
Potential Stormwater Quality Pond



Project Category: Channel Restoration

Project Title: Restoration & Stabilization of Historic Bassett Creek Channel

Total Estimated Cost: \$500,000

BCWMC Project Number: BC-9

Description:

This project in the City of Minneapolis will include bank stabilization and erosion repair methods and will remove obstructions as necessary. The project aims to mitigate impacts from flooding. It's believed that work associated with the Bottineau Light Rail Line will make most of the necessary repairs, however this work proposed for 2020-2021 may also be needed.

Source of Project Funding	2017	2018	2019	2020	2021
CIP Account – BWCMC ad valorem tax levy through Hennepin County				\$500,000	

Justification:

This portion of the Main Stem of Bassett Creek was cut off from the current main channel in the 1940s-50s when Highway 55 was constructed but remains part of the BCWMC Trunk System. Flows from the current main stem channel sometimes overflow into this area causing localized flooding and extreme sedimentation, along with trash and debris. There is damage to retaining walls and storm outlet structures. The City of Minneapolis is cleaning up the area in 2015. Changes for the LRT project are likely to address the structural damage. This project is a placeholder in anticipation of remaining remediation after the LRT project has been constructed.

Scheduling and Project Status:

A Feasibility Study should begin on or about April 1, 2019. This project is anticipated for construction during the winter of 2020 - 2021.

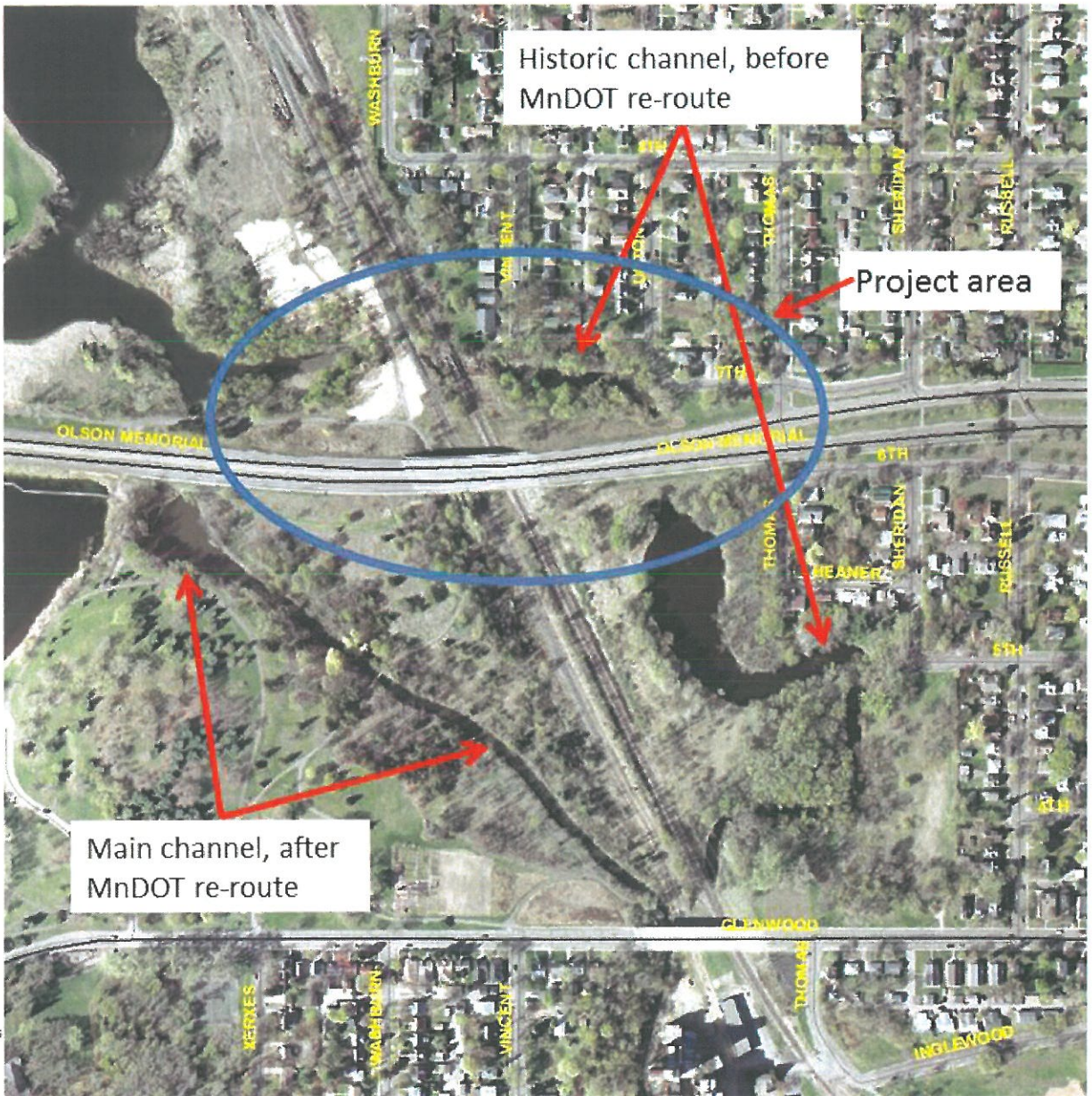
Relationship to General Plan and Other Projects:

This project is consistent with the goals and policies of the 2015 BWCMC Watershed Management Plan.

Effect on Annual Operations Costs:

This project has no effect on BCWMC Annual Operations Costs.





Project Category: Water Quality

Project Title: Bassett Creek Main Stem Stream Restoration – Bassett Creek Drive to Golden Valley Road

Total Estimated Cost: \$500,000

BCWMC Project Number: 2021CR-M

Description:

This project in the city of Golden Valley will include bank stabilization and erosion repair methods and will remove obstructions as necessary. Consideration should be given to a variety of best management practices including coir logs, erosion control blanket, live staking, cross veins, riffles, rip-rap, and buffers. Per BCWMC policy, the Commission will strive to utilize soft armoring techniques as much as possible and wherever feasible.

Source of Project Funding	2017	2018	2019	2020	2021
CIP Account – BWCMC ad valorem tax levy through Hennepin County					\$500,000

Justification:

The City of Golden Valley inventoried streambank conditions and areas of erosion along the main stem of Bassett Creek. This area is adjacent to Rice Lake Nature Area and Mary Hills Nature Area. The creek will be accessible for repairs and stabilization through public property. Rehabilitation and repair of Bassett Creek in this area is consistent with BCWMC goals regarding water quality.

Scheduling and Project Status:

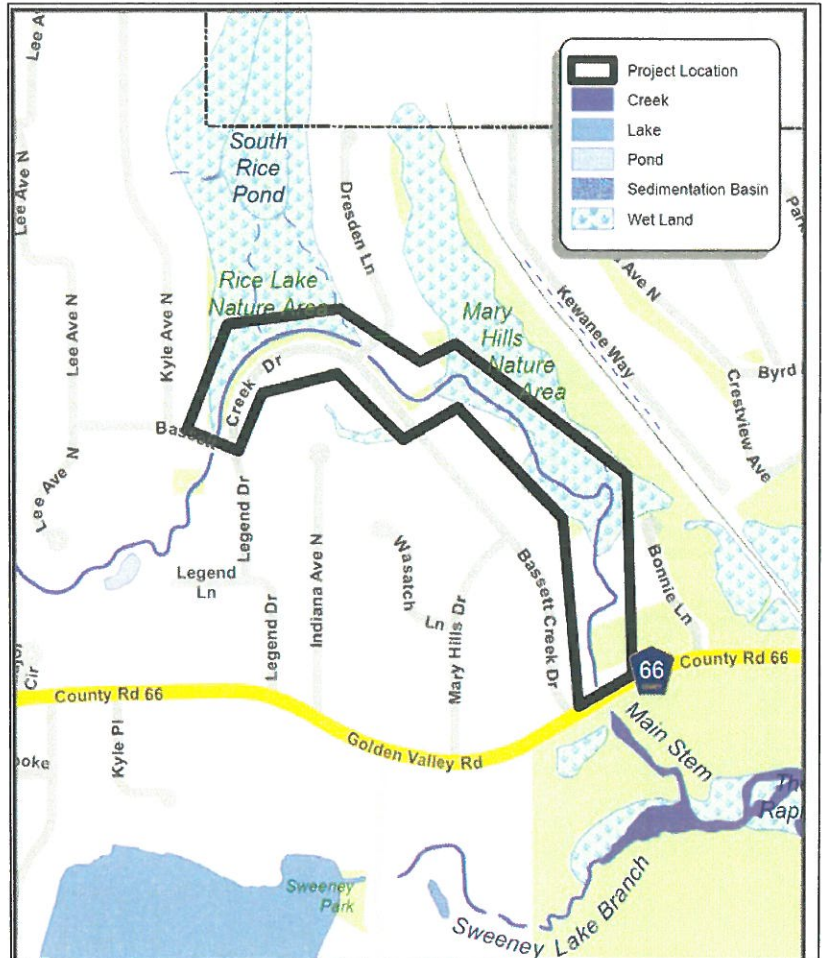
A Feasibility Study should begin on or about April 1, 2020. This project is anticipated for construction during the winter of 2021 - 2022.

Relationship to General Plan and Other Projects:

This project is consistent with the goals and policies of the 2015 BCWMC Watershed Management Plan.

Effect on Annual Operations Costs:

This project has no effect on BCWMC Annual Operations Costs.



Project Category: Water Quality

Project Title: Stormwater Treatment for Dissolved Phosphorus Removal, Sweeney Lake Watershed

Total Estimated Cost: \$400,000

BCWMC Project Number: SL-11

Description:

This project in the city of Golden Valley will use an emerging technology to treat water in the Sweeney Lake Branch of Bassett Creek with spent lime or a similar product to reduce dissolved phosphorus concentrations. A portion of flow in the creek would be diverted for treatment; more than one treatment location may be used. The “cleaned” creek water would be returned to the natural channel to flow on through Schaper Pond and into Sweeney Lake.

Source of Project Funding	2017	2018	2019	2020	2021
CIP Account – BWCMC ad valorem tax levy through Hennepin County					\$400,000

Justification:

Sweeney Lake is on the State’s Impaired Waters List for nutrients. While the Schaper Pond Project is projected to greatly improve water quality in Sweeney Lake, it’s likely that dissolved phosphorus levels will still need to be reduced in the lake. This project was identified in the Sweeney Lake TMDL as a possible chemical treatment option.

Scheduling and Project Status:

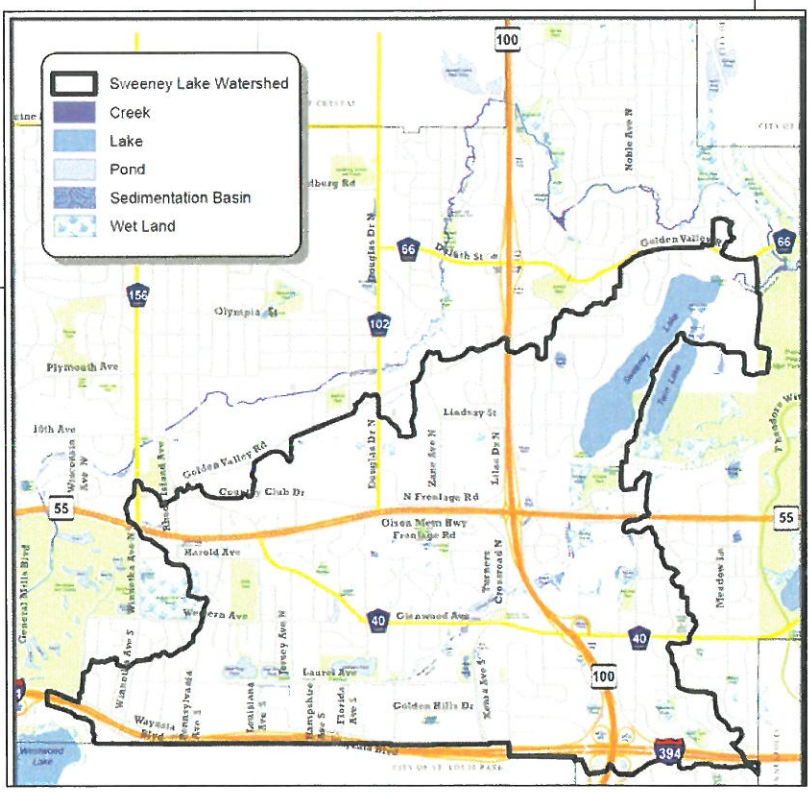
A Feasibility Study should begin on or about April 1, 2020. This project is anticipated for construction 2021.

Relationship to General Plan and Other Projects:

This project is consistent with the goals and policies of the 2015 BWCMC Watershed Management Plan.

Effect on Annual Operations Costs:

This project has no effect on BCWMC Annual Operations Costs.



Project Category: Water Quality

Project Title: Dredging Accumulated Sediment In Main Stem Bassett Creek, Wirth Park

Total Estimated Cost: \$400,000

BCWMC Project Number: BC-7

Description:

This project in Theodore Wirth Park in the city of Golden Valley consists of dredging sediment that has accumulated over decades within the Main Stem of Bassett Creek just north of Hwy 55. During the winter (on frozen ground), equipment such as backhoes will be used to remove sediment within the channel. The removal of sediment improves stream flow and habitat, will reduce in-stream erosion and will improve stream water quality.

Source of Project Funding	2017	2018	2019	2020	2021
CIP Account – BWCMC ad valorem tax levy through Hennepin County					\$400,000

Justification:
 The removal of accumulated sediment will improve stream flow and reduce in-stream erosion, ultimately improving stream water quality. Additionally, habitat for fish and macroinvertebrates in the stream should improve as layers of sediment are removed, possibly exposing rock or cobble for spawning beds and interstitial micro-habitats.

Scheduling and Project Status:
 A Feasibility Study should begin on or about April 1, 2020. Project implementation is anticipated during the winter 2021 - 2022.

Relationship to General Plan and Other Projects:

This project is consistent with the goals and policies of the 2015 BWCMC Watershed Management Plan.

Effect on Annual Operations Costs:

This project has no effect on BCWMC Annual Operations Costs.

Minnesota Northland NEMO Program

2015 WEST METRO REGION WATERSHEDS NEMO EDUCATION PLAN

The NEMO program in partnership with watershed organizations in the west metro region will design and deliver specific workshops and programs that will provide educational and skill building programming to elected and appointed officials and community leaders that increases their knowledge about the connection of land use and management decisions to water quality and natural resources. NEMO will provide non-regulatory, researched-based education that emphasizes natural resources based planning, application of low impact best management practices (BMPs), and adoption or revision of policies that collectively supportive community desires and needs to maintain and improve clean water resources and minimize impact.



WEST METRO WATERSHED PARTNERS INCLUDED IN THIS NEMO EDUCATION PLAN:

- Minnehaha Creek Watershed District
- Nine Mile Creek Watershed District
- Riley-Purgatory-Bluff Creek Watershed District
- Carver Water Management Organization
- Bassett Creek Watershed Management Commission
- (not confirmed) Elm Creek, West Mississippi, & Shingle Creek

PROGRAM PRIORITIES & DELIVERABLES

NEMO will work in partnership with watershed education staff and other key individuals to provide the following specific programs in 2015.

1. NEMO Workshop-on-the-water

Target: July 23rd

A NEMO workshop on Lake Minnetonka that focuses on bringing elected and appointed officials and community leaders out on a representative water resource to build their knowledge and provide skills that will assist them in making informed decisions for water resource protection & restoration.

The content for this year's program may include the following *lake, stream, and groundwater hydrology, pollutants and how pollutants impact water resources, how local communities can and should be addressing these pollutants, education and outreach strategies, and regulatory requirements*. This priority content was identified by examining input from last year's participants, needs, and through the discussions with partnering staff.

Partners will concentrate on inviting newly elected and appointed leaders and those who have not participated in past years. We will make an effort to route the program to bays and areas of the lake not visited last year.

This program delivery model has proven to be very effective leading to increased knowledge, enhanced participation by local leaders, and has led to changes and actions by leaders and their communities. Although the program occurs on Lake Minnetonka, all cities within the participating watersheds will be invited and the content will be applicable to all local communities.

2. NEMO workshop at the Green Infrastructure for Clean Water Summit

Target: September 14th & 15th

An evening NEMO workshop at the 2015 Clean Water Summit will provide an opportunity for local leaders to expand their knowledge and take in the wealth of information and science covered during the all-day conference. This year's Summit will likely concentrate on connections between surface, ground, storm, and drinking water resources. The evening NEMO session will provide a condensed version with the most important information for those in elected and appointed leadership positions.

3. Chlorides and Winter Road Management for Local Leaders

Target: October 1st

This NEMO workshop will concentrate on providing the most recent science, information, practices, and policies related to winter road management including the use of chlorides. It will concentrate on providing the depth of knowledge local leaders need to know to understand how cities, counties, and private contractors care for roads during winter months with an emphasis on how local leaders can support future practices, policies, and funding.

4. Additional Deliverables & Support

The NEMO Program (Minnesota Extension & Sea Grant) will also provide additional programs, resources, and support for these workshops, for the local leaders and participants, and for the watershed organizations and municipal staff. Some of these additional deliverables will include:

- **2015 Clean Water Summit** – A day-long conference at the Minnesota Landscape Arboretum focusing on green infrastructure plans, practices and policies for clean water (i.e. Low Impact Development). The 2015 Summit will likely concentrate on connections between surface, ground, storm, and drinking water resources.
- Program support to the partner watershed education professionals (i.e. education coordinators) providing consultation, co-delivery support, and resources for individual city NEMO presentations, workshops, and resources. Assist in the design, delivery, and evaluation efforts of other water-related education efforts specifically focused on local leaders.
- Provide resources and tools for increasing knowledge and skills of local leaders such as the Watershed Game and support of the NEMO education collaboration network and website.

Brief Background:

Minnesota Extension and Sea Grant NEMO Program leaders have been working with staff from these watersheds for several months now to identify specific needs and effective programs. Collectively, we have developed this regional approach to address the education needs for the watershed, the cities, and their elected and appointed leaders. We believe this approach will result in stronger programming, address priority needs many have addressed, bring multiple resources to the region, and provide for cross-pollination of ideas, effective strategies, and successes.

QUESTIONS OR COMMENTS?

Contact John Bilotta 612-624-7708 jbilotta@umn.edu



Preliminary contract; needs legal counsel approval

UNIVERSITY OF MINNESOTA PROGRAM AGREEMENT

THIS PROGRAM AGREEMENT (the “**Agreement**”) is between Regents of the University of Minnesota (the “**University**”), a Minnesota constitutional corporation, and **Bassett Creek Watershed Management Commission**, a(n) **local governmental watershed unit** (the “**Organization**”). This Agreement is entered into by University through Extension.

The parties agree as follows:

1. Description of Program. University shall deliver the following program to Organization: **Multiple NEMO related programs and workshops including a NEMO on-the-water program (summer), a NEMO workshop at the Clean Water Summit (September), and a third NEMO workshop (October).** Additional deliverables will include the Clean Water Summit and development and distribution of additional resources that support NEMO and these programs including fact sheets, water and land workshop-related documents and guides, and curriculum resources used to support these workshops and the overall program objectives. Specifics of the programs to be delivered are designated in the education plan that is attached. on the following dates **Mutliple throughout 2015** at the following location(s) **multiple locations in within the watershed and the west metro region** (the “**Program**”).

1.1 University is the owner of or has obtained the right to use, distribute, publish, copyright (if applicable) and otherwise disseminate the Program and all materials related to the Program. Organization expressly disclaims any ownership or copyright to the Program and all materials related to the program.

1.2 Reference to Program in this Agreement shall be deemed to include any deliverables provided to Organization in connection with the Program, including without limitation, curriculum, reports, results, materials, products, and information.

2. Fee. For the Program described in Section 1, Organization shall pay the University: \$750.00, plus any sales or use tax, if applicable.

2.1 The fee shall be paid (check one of the two boxes):

- in full upon the signing of this Agreement; or
 in installments, payable on the following dates:

2.2 Invoices shall be sent to:

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

Phone No.: **952-270-1990**
Facsimile No.:
Email: **laura.jester@keystonewaters.com**

2.3 Organization represents to University that no funds received under any grant or separate funding agreement will be used to pay the fee to University.

3. **Term.** The term of this Agreement shall commence on **1/1/2015** (“**Effective Date**”) and shall expire on **12/31/2015** unless terminated earlier as provided in Section 4.

4. **Termination.** Either party may terminate this Agreement if the other party (i) fails to perform any material obligation under this Agreement and (ii) does not correct such failure within 30 days after having received written notice of such failure. Additionally, either party may terminate this Agreement for its convenience upon 60 days’ prior written notice to the other party. Upon any termination under this Section 4, Organization shall promptly pay University for all components of the Program delivered and costs incurred up to and including the effective date of termination.

5. **Compliance with Applicable Regulations.** University shall be responsible for complying with all federal, state and local laws and regulations relating to criminal background checks for all University staff members having direct contract with minors as a result of this Agreement.

6. **DISCLAIMER OF WARRANTIES.** UNIVERSITY MAKES NO WARRANTIES, EXPRESS OR IMPLIED, AS TO ANY MATTER WHATSOEVER, INCLUDING WITHOUT LIMITATION, THE CONDITION, ORIGINALITY OR SUITABILITY OF THE PROGRAM OR DELIVERABLES PROVIDED UNDER THIS AGREEMENT. UNIVERSITY EXPRESSLY DISCLAIMS WARRANTIES OF MERCHANTABILITY, OR FITNESS FOR A PARTICULAR PURPOSE.

7. **LIMITATION OF LIABILITY FOR BREACH OF CONTRACT.** IN NO EVENT SHALL EITHER PARTY’S LIABILITY FOR BREACH OF THIS AGREEMENT INCLUDE DAMAGES FOR WORK STOPPAGE, LOST DATA, OR INDIRECT, SPECIAL OR CONSEQUENTIAL DAMAGES (INCLUDING LOST PROFIT) OF ANY KIND. EXCEPT FOR EACH PARTY’S OBLIGATIONS UNDER SECTIONS 10.1 AND 10.2, EACH PARTY’S LIABILITY TO THE OTHER FOR BREACH OF THIS AGREEMENT SHALL NOT EXCEED AN AMOUNT EQUAL TO THE MONETARY CONSIDERATION PAID TO UNIVERSITY UNDER THIS AGREEMENT.

8. **Use of University Name or Logo.** Organization agrees not to use the name, logo, or any other marks (including, but not limited to, colors and music) owned by or associated with

University or the name of any representative of University in any form whatsoever without the prior written permission of University in each instance. However, Organization may use the name of University in a document required to be filed with, or provided to, any governmental authority or regulatory agency to comply with applicable legal or regulatory requirements. Organization agrees to provide University with a copy of any such document.

9. Export Controls. Organization shall notify University in writing if any technological information or data to be provided to University is subject to export controls under U.S. law or if technological information or data that Organization is requesting University to produce during the course of work under this Agreement is expected to be subject to such controls. Organization shall notify University of the applicable export controls (for example, Commerce Control List designations, reasons for control, and countries for which an export license is required). University shall have the right to decline export controlled information or tasks requiring production of such information. If the Services cannot reasonably be performed without University access to export controlled information or data, the Agreement may be terminated by either party for convenience in accordance with Section 4, except that such termination shall occur immediately upon written notice to the other instead of at the end of the thirty (30)-day period set forth in Section 4. Organization shall not release export controlled information or data to University until Organization has been notified in writing by University that University has implemented a technology control plan for such information.

10. Indemnification and Insurance.

10.1 Except as provided in Section 10.2, each party shall be responsible for its own acts and omissions, including the acts of its directors, employees, agents and contractors, and the results thereof and shall not be responsible for the acts of the other party and the results thereof. Liability of University is subject to the terms and limitations of the Minnesota Tort Claims Act, Minnesota Statutes Section 3.736, as amended.

10.2 Organization shall indemnify, defend, and hold harmless University, its regents, faculty members, students, employees, agents, contractors, and authorized volunteer workers against any and all claims, costs, or liabilities, including attorneys' fees and court costs at both trial and appellate levels, for any loss, damage, injury, or loss of life (other than that attributable to willful, wanton or intentional acts or omissions of University) arising out of (i) use by Organization (or any third party acting on behalf of or under authorization from Organization) of the Program or any information, reports, deliverables, materials, products or other results of University's work under this Agreement or (ii) Organization's infringement of a third party's intellectual property rights or Organization's violation of any law, rule, or regulation in the provision of any materials to University.

10.3 Each party represents that it has and will maintain the following levels of insurance or self-insurance during the term of this Agreement: (i) Workers' Compensation in statutory compliance with Minnesota law; and (ii) general liability insurance in an amount not less than \$1,000,000 each occurrence. If requested by University, Organization's policy shall name Regents of the University of Minnesota as an additional insured. Certificates of all insurance detailed above shall be furnished to the other party upon request.

11. General Provisions.

11.1 Amendment. This Agreement shall be amended only in writing duly executed by all the parties to this Agreement.

11.2 Assignment. The parties may not assign any rights or obligations of this Agreement without the prior written consent of the other party. Any assignment attempted to be made in violation of this Agreement shall be void.

11.3 Entire Agreement. This Agreement (including all documents attached or referenced) is intended by the parties as the final and binding expression of their agreement and as the complete and exclusive statement of its terms. This Agreement cancels, supersedes and revokes all prior negotiations, representations and agreements between the parties, whether oral or written, relating to the subject matter of this Agreement, including without limitation, any non-disclosure agreements. The terms and conditions of any purchase order or similar document submitted by Organization in connection with the Program provided under this Agreement shall not be binding upon University.

11.4 Force Majeure. No party to this Agreement shall be responsible for any delays or failure to perform any obligation under this Agreement due to acts of God, strikes or other disturbances, including, without limitation, war, insurrection, embargoes, governmental restrictions, acts of governments or governmental authorities, and any other cause beyond the control of such party. During an event of force majeure the parties' duty to perform obligations shall be suspended.

11.5 Governing Law and Jurisdiction. The internal laws of the state of Minnesota shall govern the validity, construction and enforceability of this Agreement, without giving effect to its conflict of laws principles. All suits, actions, claims and causes of action relating to the construction, validity, performance and enforcement of this Agreement shall be in the courts of Hennepin County, Minnesota.

11.6 Independent Contractor. In the performance of their obligations under this Agreement, the parties shall be independent contractors, and shall have no other legal relationship, including, without limitation, partners, joint ventures, or employees. Each party's employees (i) shall be regarded as the employees of such party and shall not be regarded as the employees of the other party; (ii) shall be subject to the employment policies and procedures of such party and shall not be subject to the employment practices and procedures of the other party; and (iii) shall not be entitled to any employment benefits of the other party. Neither party shall have the right nor power to bind the other party and any attempt to enter into an agreement in violation of this section 11.6 shall be void. Neither party shall take any actions to bind the other party to an agreement.

11.7 Notices. All notices and other communications that a party is required or elects to deliver shall be in writing and shall be delivered personally or by facsimile or by a recognized courier service or by United States Mail (first-class, postage pre-paid, certified return receipt

requested) to the other party at the following addresses. Such notices and other communications shall be deemed made when delivered; faxed; submitted to the courier service; or, with respect to U.S. mail, three (3) days after mailing.

If to University: University of Minnesota
Extension
Attn: **John Bilotta**
173 McNeal Hall, 1420 Eckles Avenue
St. Paul, MN 55108

Phone No.: **612-624-7708**
Facsimile No.: **612-625-1263**
E-mail: **jbilotta@umn.edu**

With a copy to: University of Minnesota
Office of the General Counsel
Attn: Transactional Law Services Group
360 McNamara Alumni Center
200 Oak Street S.E.
Minneapolis, MN 55455-2006
Facsimile No.: (612) 626-9624
E-mail: contracts@mail.ogc.umn.edu

With a copy to: University of Minnesota
Extension Finance and Planning
415 Coffey Hall
1420 Eckles Avenue
St. Paul, MN 55108
E-mail:

If to Organization: **Basset Creek Watershed Management Commission**
Attn: **Laura Jester**
16145 Hillcrest Lane
Eden Prairie, MN 55346

Phone No.: **952-270-1990**
Facsimile No.:
E-mail: **laura.jester@keystonewaters.com**

11.8 Survival. Upon termination or expiration of this Agreement, Sections 2, 5, 6, 7, 8, 9, 10 and 11 shall survive.

IN WITNESS WHEREOF, the parties have entered into the Agreement as of the dates indicated below. Each individual signing below represents that they have the authority to bind the party on whose behalf they are signing.

Regents of the University of Minnesota

By: _____
Name: _____
Title: _____
Date: _____

By: _____
Name: _____
Title: _____
Date: _____



Item 6Eiii.
BCWMC 3-19-15

February 18, 2015

Laura Jester, BCWMC Administrator
c/o 16145 Hillcrest Lane
Eden Prairie, MN 55346

RE: Request for Proposal for Technology Consulting Services

Dear Laura,

Thank you for contacting HDR to provide this proposal on website development. We are excited to have the opportunity to work with Bassett Creek Watershed Management Commission to create a website that is engaging, fresh, and easy to manage for BCWMC staff.

Based on the Request for Proposal, HDR will emphasize the following throughout the redesign process:

- Create a user-friendly website that is easy to navigate and find information
- Develop a site that adapts to all screen widths and devices
- Make editing and adding to the site intuitive for BCWMC staff
- Design a website with an updated look and feel that stays true to the goals and mission of BCWMC

Key benefits HDR provides to BCWMC for website development include the following:

- We understand the unique needs of a watershed organization such as BCWMC, while also bringing broad experience to the BCWMC website based on our experience in creating informational websites for two local watershed districts and a variety of government agencies, organizations, and utilities in the Midwest and across the country.
- HDR holds a comprehensive understanding of the technical and community outreach goals of BCWMC through our local web developer's close and continued interaction with water resources engineers and public outreach specialists.

We appreciate your consideration of our proposal and thank you for this opportunity! If you have any questions or clarifications, please don't hesitate to contact us using the information below.

Sincerely,

HDR Engineering, Inc.

Kelly Spitzley
Website Developer and Graphic Designer

Email: Kelly.Spitzley@hdrinc.com
Phone: 763-591-6611

Craig R. Lenning, PE
Senior Vice President | Area Manager

Email: Craig.Lenning@hdrinc.com
Phone: 763- 278-5985

hdrinc.com

701 Xenia Avenue South, Suite 600, Minneapolis, Minnesota 55416
T 763.591.5400 F 763.591.5413



Bassett Creek Watershed Management Commission

MEMO

Date: March 11, 2015
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 (see CIP Project Update Chart in Information Only Items)

2012 Main Stem Restoration Project, Golden Valley Rd. to Irving Ave. N., Minneapolis and Golden Valley (mostly in Wirth Park) (2012CR): The Minneapolis Park and Rec Board is managing this project and hired Rachel Contracting to construct the project. The project is nearly complete. Most of the work remaining will be completed after the frost comes out of the soil and the soil dries out a bit. MPRB is very happy with the work and indicates the contractor has done excellent job.

2013 Four Season Area Water Quality Project (NL-2): The City of Plymouth presented 4 options including the original stream restoration, a rock-only option, flocculation facility, and a do nothing option at a public meeting on January 29th. Approximately 25 residents attended and provided comments. Plymouth staff are reviewing the comments as they relate to the options and will be discussing with the City of New Hope. They expect to bring a recommendation to the Commission in April.

2014 Schaper Pond Diversion Project, Golden Valley (SL-3): The Commission approved 90% plans at their February meeting. The project is under review for the DNR public waters work permit and WCA applications (applications submitted 2/11/2015). The permit application (which covers both the public waters work permit and WCA) has been distributed to others within the DNR and to other agencies for the statutory 30-day review and comment period, which runs until 03/20/2015. No comments had been received as of March 6th. The City's consultant (Barr Engineering) is working on specifications for the project so that once the permit is approved, project bidding can begin. Project construction could start as early as April.

2014 Twin Lake In-lake Alum Treatment, Golden Valley (TW-2): See Item 6C. At the November meeting the Commission approved an agreement with Golden Valley to implement the project. A presentation and informational meeting on the project is scheduled for March 19th, 6:30 p.m. at Golden Valley City Hall. At this meeting, the Commission will review project specifications and consider approval. The first alum application is slated for late April or early May.

2014 Briarwood/Dawnview Water Quality Improvement Project, Golden Valley (BC-7): The contractor for the project, New Look Contracting, has completed the pond excavation and the majority of the storm sewer work. The site has been temporarily stabilized until spring when crews will complete the remaining storm sewer work and restore all disturbed areas.

2015 Main Stem Restoration Project 10th Avenue to Duluth Street, Golden Valley (2015CR): See Item 6B. The City of Golden Valley hosted an open house meeting on January 8, 2015 to present the preliminary design plans and gather additional input from property owners to assist in the development of project plans. Staff has

also been meeting individually with property owners to secure temporary construction easements to perform the proposed work. So far, 37 property owners have granted temporary construction easements to the City thus far. About 14 more easements are necessary to complete the work in all areas of the project. The 50% project plans were submitted to the Commission Engineer for review and will be presented at this meeting by the consulting engineering firm (WSB) along with comments from the Commission Engineer.

2016 Northwood Lake Improvement Project, New Hope (NL-1): See Item 5A. The Commission took action at its November 2014 meeting to levy up to \$1.1M for this project. A major plan amendment to the BCWMC 2004 Watershed Management Plan was submitted to State review agencies in early December. The review period ended January 30, 2015 with no comments from reviewers. A public hearing will be held regarding the plan amendment at this meeting. The City of New Hope did not receive the \$50,000 grant requested from Hennepin County nor the Clean Water Fund grant from BWSR. As directed at the February Commission meeting, the Commission applied for a \$300,000 Clean Water Partnership grant from the MPCA for this project.

2016 Honeywell Pond Expansion Project, Golden Valley (BC-4): See Item 5A. The Commission took action at its November 2014 meeting to levy up to \$752,000 for this project. A major plan amendment to the BCWMC 2004 Watershed Management Plan was submitted to State review agencies in early December. The review period ended January 30, 2015 with no comments from reviewers. A public hearing will be held regarding the plan amendment at this meeting. Golden Valley staff anticipates entering into a cooperative agreement with the watershed at its June 18th meeting for this project. Project designs will be completed by December 2015 and the project will be let with the Douglas Drive project in February of 2016. Construction of the pond will likely occur in 2017.

Other Projects

Major Plan Amendment: See Item 5A. A request for a major plan amendment was submitted to State review agencies to incorporate the 2016 projects (shown above) into the CIP. The review period ended on January 30th. Multiple agencies reviewed the proposed amendment including Hennepin County (staff review), BWSR, MPCA, Met Council, and MDNR. There were no comments from any of these agencies. A letter acknowledging the agency reviews and fact that there were no comments was submitted to BWSR and review agencies last month. A public hearing on the plan amendment is scheduled for this meeting. After the hearing, the amendment begins a 90-day review but approval of the amendment is expected by the BWSR at the end of May and by the Commission at their June meeting.

Hennepin County Natural Resources Partnership: The next meeting of this group is scheduled for March 24th with speakers to present on Hennepin County's Environmental Response Fund.

MPRB Ecological System Plan: After several months without a meeting, this project team will reconvene on April 8th. Commissioner Welch or I will attend.

Next Generation Watershed Management Plan: See Items 4G and 6A. The draft Watershed Management Plan was submitted for its 60-day review at the end of November. The review period ended January 30, 2015. Comments were received from Hennepin County, BWSR, MPCA, MDNR, Met Council, MN Department of Agriculture, MnDOT, MPRB, AMLAC, City of Minneapolis, City of Plymouth Environmental Commission, and Commissioners/Alt Commissioners Crough, Goddard and Mueller. Staff has drafted responses to comments and will discuss these responses with the Plan Steering Committee at two meetings: March 12 and 23rd. Staff is requesting that the Commission set a public hearing on the draft plan for its May 21st Commission meeting.

New Commissioner Materials: Posting of materials to the website were completed last month and are available at:

<http://www.bassettcreekwmo.org/CommissionOrientation/CommissionOrientationHomepage.htm>.

Records Retention/Management and Data Practices: At the direction of the Administrative Services Committee, I updated the Commission's Records Retention Schedule and asked legal counsel to review and recommend any changes needed. Additionally, a Data Practices Procedure was drafted for the Commission by our legal counsel. The Commission will review these documents at a future meeting. Also, I continue to work on records management including locating all official records, determining what records should be disposed of or sent to the State Archives, how paper records can be digitized, and how and where to store our electronic records. I will be researching and gathering input on different options for records management and storage over the course of the year.

Organizational Efficiencies: See Item 6Diii. At the direction of the Administrative Services Committee and in anticipation of developing the 2016 budget, I will be drafting an organizational chart and have been discussing practices and procedures with TAC members, Commission staff, and Commissioners to ensure the proper and efficient use of staff's time and to streamline communications where needed.