



# Bassett Creek Watershed Management Commission

## AGENDA MEMO

Date: January 12, 2023

To: BCWMC Commissioners

From: Laura Jester, Administrator

RE: **Background Information for 1/19/23 BCWMC Meeting**

1. **CALL TO ORDER and ROLL CALL**
2. **CITIZEN FORUM ON NON-AGENDA ITEMS**
3. **APPROVAL OF AGENDA – ACTION ITEM with attachment**
4. **CONSENT AGENDA**
  - A. **Approval of Minutes – December 15, 2022 Commission Meeting- ACTION ITEM with attachment**
  - B. **Acceptance of January Financial Report - ACTION ITEM with attachment**
  - C. **Approval of Payment of Invoices - ACTION ITEM with attachments (online) – I reviewed the following invoices and recommend payment.**
    - i. Keystone Waters, LLC – December 2022 Administrative Services
    - ii. Keystone Waters, LLC – December 2022 Meeting Expenses
    - iii. Barr Engineering – December 2022 Engineering Services
    - iv. Kennedy & Graven – October 2022 Legal Services
    - v. Redpath – December 2022 Accounting Services
    - vi. Triple D Espresso – Meeting Catering
    - vii. Stantec – WOMP Services
    - viii. HDR – Website Services
    - ix. Metro Blooms – Lawns to Legumes Grant Projects (2)
    - x. Metropolitan Council – 2022 CAMP Program Payment
    - xi. Friends of Mississippi River – Bassett’s Creek Park Natural Resources Management Plan
    - xii. Three Rivers Park District – Medicine Lake Boat Launch Inspections
    - xiii. CNA Surety – 2023 Bond Insurance
  - D. **Approval of Agreement with Redpath & Company for 2023 Financial Services – ACTION ITEM with attachment - *Redpath & Company has been providing financial services to the Commission since March 2021. Redpath is providing good support, accurate monthly reports, and quick, thoughtful customer service. I have discussed audit preparation roles and expectations with both Redpath and our audit firm (MMKR) in order to help the 2022 audit go more smoothly than last year. I recommend approving an agreement for another year with Redpath at the same monthly rate of \$1,000 and an increase in the number of hours designated for audit and 1099 assistance. While the “not-to-exceed” amount of \$16,650 is higher than budgeted for this year, the increased hours are critical for a timely and accurate audit process. I recommend approval of the agreement which was reviewed by the Commission Attorney.***
  - E. **Approval of Contract with HDR for 2023 – 2025 Website Hosting and Services – ACTION ITEM with attachment – *HDR Engineering, Inc. has been hosting the BWCMC website and assisting with website updates for several years with impeccable and critical service. Actual website expenses have been well below HDR’s estimates and the not-to-exceed amount in the agreement. I expect the BWCMC budget accurately reflects likely expenses. I recommend approval of the attached three-year contract which was reviewed by the Commission Attorney.***

- F. Approval of Use of West Metro Water Alliance Special Project Funding – **ACTION ITEM with no attachment** – *BCWMC is a member of the West Metro Water Alliance – a collaborative of four west metro watersheds that focuses on education. The BCWMC financially supports WMWA with up to \$13,000 a year (included in the BCWMC budget) and I actively participate in monthly WMWA meetings. The agreements between the four WMWA watersheds specify that use of WMWA’s Special Projects funding must be approved by all four participating WMOs. Of the \$13,000, the BCWMC budgeted \$2,000 in 2022 for WMWA Special Projects, which was unspent, and \$2,000 again in 2023. I recommend that the BCWMC authorize WMWA to allocate the use of the 2022 and 2023 budgets for Special Projects to the educator position shared with Hennepin County through the new Conservation Education and Implementation Partnership pilot program and agree to include \$2,000 in 2024 budget for this purpose.*
- G. Approval of 2023 Golden Valley Pavement Management Program – **ACTION ITEM with attachment** – *The proposed linear project is in the City of Golden Valley in Bassett Creek Main Stem Subwatershed. The project includes reconstruction of streets and utility improvements, including water main, sanitary sewer, and storm sewer, resulting in 6.99 acres of grading (disturbance) and 4.69 acres of fully reconstructed impervious surfaces. The project decreases impervious surfaces by 0.40 acres and includes two manholes with four-foot-deep sumps, and an iron enhanced filtration basin that will treat runoff from about 3.45 acres of roadway and. Staff recommends approval with no conditions.*
- H. Approval of Comments on Shingle Creek/West Mississippi Watershed Management Plan – **ACTION ITEM with attachment** – *The Commission Engineer reviewed the 60-day review draft of the Shingle Creek/West Mississippi WMO 2023-2032 Watershed Management Plan and recommends submitting the attached comment letter.*

**5. BUSINESS**

- A. Receive Presentation on Carp Assessment and Water Monitoring Results for Schaper Pond and Sweeney Lake and Consider Recommendation (30 min) – **ACTION ITEM with attachment** – *The attached memo includes results of the 2022 reassessment of carp populations in Schaper Pond and Sweeney Lake, water monitoring results for Sweeney Lake following the fall alum treatment, and a recommendation for further carp population assessments and carp removals, as needed, in 2024. The Commission Engineer will present these results and recommendations at the meeting.*
- B. Discuss Membership in Minnesota Watersheds (formerly MAWD) (20 min) – **ACTION ITEMS with attachments** - *The Minnesota Association of Watershed Districts recently changed its name to “Minnesota Watersheds” (MW).*
  - i. Review Annual Meeting (tabled from December meeting) – *Chair Cesnik, Commissioner Welch, Alternate Commissioner Hauer, Commission Engineer Chandler and I attended the MAWD meeting and conference last week. Commissioner Harwell also attended on behalf of her employer. We will provide a verbal report on the results of the business meeting, the workshop attended by Alternate Commissioner Hauer, the workshop session facilitated by Commissioner Welch and me, the presentation by Commission Engineer Wilson and me, and overall takeaways from the event.*
  - ii. Consider Approval of 2023 Dues Payment – *The Commission should decide on its membership status in the organization and consider paying 2023 dues of \$7,500 which is included in the 2023 BCWMC budget.*
  - iii. Reminder of Metro MAWD Meetings and Legislative Day at the Capitol – *Metro MAWD meets quarterly, typically virtually, at 7:00 p.m. Meeting dates this year are January 17, April 18, July 18, and October 17. Please watch for emails with meeting announcements and agendas. Registration is open for MW’s Legislative Day at the Capitol. See the tentative agenda attached. Registration is \$100; commissioners and alternates can be reimbursed for registration.*

**Break - Chair's Discretion**

- C. Review Proposals from Engineering and Legal Firms (10 min) – **ACTION ITEM with no attachment** – *On November 28<sup>th</sup>, the solicitation for letters of interest proposals for engineering and legal firms was printed in the State Register. The Commission received three engineering proposals from: Barr Engineering; Geosyntec Consultants; and cbec Inc., eco engineering. A proposal from Kennedy & Graven was the only proposal for legal services. I recommend the Commission approve continuing contracts with Barr Engineering and Kennedy & Graven. Current contracts with these firms expire at the end of April. With Commission approval, updated contracts would come before the board at the February or March meeting.*
  
- D. Discuss Format for 2025 Watershed Management Plan Public Kick Off Meeting (15 min) – **DISCUSSION ITEM with attachment** – *On the afternoon and/or evening of Tuesday, February 28th the BCWMC will host a public kick-off meeting for the 2025 Watershed Management Plan. Per Minnesota Rules 8410.0045 Subp. 5, the BCWMC must publicly notice and host an “initial planning meeting presided over by the organization’s governing body to receive, review, and discuss input” on the 2025 Plan. The Commission should decide on a meeting format. Options are outlined in the attached memo. Staff recommends using an open house format.*
  
- E. Consider Providing Direction to Staff on Linear Projects Standards in 2025 Watershed Management Plan (30 min) – **DISCUSSION ITEM with attachment** – *As part of the work to address complex issues leading for the 2025 Watershed Management Plan, staff have been reviewing current BCWMC standards for linear projects and developing options for possible adjustments to the standards. The attached memo provides background on prior and current standards (including new State requirements), input from the TAC on linear standards, and the Commission Engineer’s recommendation for moving forward on this item.*
  
- F. Consider Waiving Conflict of Interest for Commission Engineer (10 min) – **ACTION ITEM with attachment** – *The attached memo outlines a conflict posed for the Commission Engineer in reviewing a document that Barr Engineering also assisted in writing. For reasons articulated in the memo, I recommend the Commission waive the conflict for the Commission Engineer. Alternate courses of action for consideration are also included in the memo per the BCWMC’s conflict of interest policy.*

**6. COMMUNICATIONS (10 minutes)**

- A. Administrator’s Report – **INFORMATION ONLY with attachment**
  - i. Campaign Finance Forms
  - ii. Audit Conflict of Interest Forms
  - iii. Administrator Schedule for February and March Meetings
  - iv. Winter Photo Needed
- B. Chair
- C. Commissioners
- D. TAC Members
- E. Committees
- F. Legal Counsel
- G. Engineer
  - i. Update on Lagoon Dredging Project Construction
  - Update on Bryn Mawr Construction

## 7. INFORMATION ONLY (Information online only)

- A. BCWMC Administrative Calendar
- B. CIP Project Updates [www.bassettcreekwmo.org/projects](http://www.bassettcreekwmo.org/projects)
- C. Grant Tracking Summary and Spreadsheet
- D. WCA Notice of Decision, Plymouth
- E. [New Ruling on U.S. EPA's Water Protections](#)
- F. [CCX Local News Segment on Bassett Creek Restoration Project](#)
- G. [City of Madison WI Salt Ordinance](#)

## 8. ADJOURNMENT

### Upcoming Meetings & Events

- Metro MAWD Meeting: Tuesday January 17<sup>th</sup>, 7:00 p.m., virtual meeting; see email from T. Carstens
- Ponderosa Woods Stream Restoration Project Public Open House: Monday February 13<sup>th</sup>, 5:00 – 7:00 p.m., Medicine Lake Room, Plymouth City Hall
- BCWMC Regular Meeting: Thursday February 16<sup>th</sup>, 8:30 a.m., Golden Valley City Hall
- BCWMC Watershed Plan Public Open House: Tuesday February 28<sup>th</sup> – time and location TBD