



Bassett Creek Watershed Management Commission

AGENDA MEMO

Date: September 10, 2024

To: BCWMC Commissioners

From: Laura Jester, Administrator

RE: Background Information for 9/19/24 BCWMC Meeting and Public Hearing

1. **CALL TO ORDER and ROLL CALL**
2. **PUBLIC FORUM ON NON-AGENDA ITEMS**
3. **APPROVAL OF AGENDA – ACTION ITEM with attachment**

4. **CONSENT AGENDA**
 - A. Approval of Minutes – August 15, 2024 Commission Meeting- **ACTION ITEM with attachment**

 - B. Acceptance of September 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 – August 2024 Administration
 - ii. Keystone Waters, LLC – August 2024 Administrative Expenses
 - iii. Barr Engineering – August 2024 Engineering Services
 - iv. Triple D Espresso – Meeting Catering
 - v. City of Plymouth – August Accounting Services
 - vi. Kennedy and Graven – Legal Services
 - vii. Stantec – Watershed Outlet Monitoring Program (WOMP) Services
 - viii. Metro Blooms – Engagement in Minneapolis Neighborhoods
 - ix. ECM Publishers, Inc. – Public Hearing Notice Publication

 - D. Approval of Administrator Attendance at MN Association of Watershed Administrators (MAWA) Fall Meeting – **ACTION ITEM no attachment – The MAWA meets quarterly (in different locations) to discuss and report on various items related to watershed administration. The meetings are a good opportunity to learn from peers and stay apprised of important watershed topics around the state. I request to attend the MAWA meeting in Fergus Falls on September 24th including 4 hours to attend the meeting and potential reimbursement of mileage (if I don't carpool with others). Total expenses of \$538 would come from the Administrator budget line.**

5. **PUBLIC HEARING**
 - A. Receive Comments on Proposed 2025 CIP Project: Plymouth Creek Restoration Project, Dunkirk Lane to 38th Ave. North (2025CR-P) (15 min) - **PUBLIC INPUT ITEM with attachment - The public hearing will be opened and the public will be asked for comments on the 2025 Plymouth Creek Restoration Project. All comments will be entered into the public record and will be considered before the Commission approves the resolution in 6A below. The attached public hearing notice briefly describes the project and more information is available at <https://www.bassettcreekwmo.org/projects/all-projects/plymouth-creek-restoration-dunkirk-lane-38th-ave-n>. The Commission approved the feasibility study for this project at its May meeting.**

6. BUSINESS

- A. Consider Approval of Resolution 24-06 Ordering 2025 Improvement **ACTION ITEM WITH ATTACHMENT** - *Pending the outcome of the public hearing in 5A, the attached resolution should be considered for approval to order the project, designate the entity responsible for construction, make findings pursuant to MN Statutes 103B.25, certify the costs of the 2025 projects to Hennepin County, and approve an agreement with the City of Plymouth for implementation of the Plymouth Creek Restoration Project. Staff recommends approval of the resolution which approves the following:*
- i. Ordering 2025 Improvement
 - ii. Making Findings Pursuant to Minnesota Statutes Section 103B.251
 - iii. Certifying Costs to Hennepin County - *The attached memo lists the estimated project costs for the 2025 projects and recommends the Commission direct staff to certify for payment by Hennepin County in 2025 a total (final) tax levy of \$2,303,500.*
 - iv. Approving Agreement with City of Plymouth for Construction of Plymouth Creek Restoration Project: Dunkirk Lane to 38th Ave. North (2025-CRP) - *The attached agreement between the City of Plymouth and the BCWMC includes expectations and requirements of the city and the Commission for implementation of the Project. The agreement was drafted by the Commission Attorney and reviewed by Plymouth staff.*
- B. Review Letters from Member Cities on Joint Powers Agreement (20 min) – **ACTION ITEM with attachment** – *At the July meeting, the Commission directed staff to send the latest version of the JPA to member cities and request correspondence from city leadership outlining provisions that would prevent the city from approving the JPA. Three cities submitted letters which are included here (along with a brief cover memo). The Commission should review the letters and discuss potential revisions to the JPA or methods to further engage with member cities.*
- C. Consider Approval of Resolution 24-07 Amending Commission Bylaws (10 min) – **ACTION ITEM with attachment** – *At the meeting in August, the Commission approved a Budget Committee recommendation to move the fiscal year from a February 1st start to a calendar year. That change would require an amendment to the bylaws which requires a 7-day notice to member cities. The cities were notified of the proposed change. No comments were received from cities. Staff recommends approval of the attached resolution amending the bylaws and directing staff to inform the MN Office of the State Auditor and work with Plymouth accounting staff and auditors on next steps.*
- D. Consider Approving Budget Committee Recommendations (15 min) – **ACTION ITEM with attachment** – *At the meeting in August, the Commission reviewed a proposed 2025 operating budget and recommendations to amend the bylaws to move the fiscal year to the calendar year. The Budget Committee was requested to consider modifications to the budget that would allow for a potential increase in Administrator compensation. The committee met on September 9th and developed the attached recommended final 2025 budget which is based on an 11-month fiscal year (assuming amendment to bylaws in Item 6C.)*
- E. Review Plan Steering Committee Recommendations and Plan Process Tracker (15 min) – **INFORMATION ITEM with attachments** – *The Plan Steering Committee (PSC) reviewed comments received at the Commission workshop in August and made some revisions to issue statements and 10-year goals. Their recommended changes are attached along with the latest plan progress tracker.*
- F. Receive Report on Outcome of Watershed Based Implementation Funding Convene Process (5 min) – **INFORMATION ITEM no attachment** – *At the meeting in February, the Commission delegated me to represent the BCWMC at “convene” meetings of entities eligible for Watershed Based Implementation*

Funding (WBIF) in the Bassett Creek watershed. The third and final convene meeting was recently held. As a reminder, the Bassett Creek watershed (as a geography, not as an organization) was allocated \$183,256 in WBIF for FY24-25 from the MN Board of Water and Soil Resources (BWSR). There was consensus among convening members to allocate \$46,000 to Hennepin County to continue sharing a staff person dedicated to education, outreach, and project implementation through the West Metro Water Alliance, and to allocate the remaining \$137,256 to the BCWMC for implementation of the Bassett Creek Restoration Project: Regent Ave. to Golden Valley Road. That project did not receive a Clean Water Fund grant and is slated to be constructed next winter. The WBIF funding will reduce levy funds needed in 2026. I will develop a grant workplan and will bring a BWSR grant agreement to a future meeting.

7. COMMUNICATIONS (15 minutes)

- A. Administrator's Report
 - i. Reminder of WEDNESDAY November 20th BCWMC Meeting
 - ii. Update on Bassett Creek Valley Meeting
- B. Engineer
- C. Legal Counsel
- D. Chair
- E. Commissioners
- F. TAC Members
 - i. Parkers Lake Raingarden Project
- G. Committees
 - i. Education Committee

8. INFORMATION ONLY (Information online only)

- A. Administrative Calendar
- B. CIP Project Updates www.bassettcreekwmo.org/projects
- C. Grant Tracking Summary and Spreadsheet
- D. [CAMP Monitoring Video with Commissioner Twiford](#)
- E. BCWMC Comments to State of MN on Draft Wetland Assessment Tool
- F. BCWMC Letter of Support for Clean Water Funds to Clean Water Council
- G. [MDNR Seeks Applicants for Advisory Boards](#)
- H. WCA Notices, Plymouth

9. ADJOURNMENT

Upcoming Meetings & Events

- BCWMC Education Committee Meeting: Tuesday, September 17, 4:00 p.m., Brookview
- BCWMC Plan Steering Committee Meeting: Wednesday, October 2, 8:30 a.m., Brookview
- Ĥaĥá Wakpádaŋ Water Ceremony: Monday, October 14, 10:00 a.m., Bassett Creek Park, Crystal
- BCWMC Regular Monthly Meeting: Thursday, October 17, 8:30 a.m., Golden Valley City Hall
- Ĥaĥá Wakpádaŋ 5K Fun Run and Loopet Loppet: Saturday, October 19, Theodore Wirth Park
<https://www.loppet.org/events/loopet/>