



Bassett Creek Watershed Management Commission

Regular Meeting and Public Hearing

Thursday, September 19, 2024

8:30 a.m.

Council Conference Room

Golden Valley City Hall @ 7800 Golden Valley Rd.

Listen via Zoom:

<https://plymouthmn.gov.zoom.us/meeting/register/tZcodOCvrj8rHtZJxg6hib82UqHHvF4ft3#/registration>

MEETING AGENDA

1. CALL TO ORDER and ROLL CALL

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

3. APPROVAL OF AGENDA

4. CONSENT AGENDA (10 minutes)

- A. Approval of Minutes – August 15, 2024 Commission Meeting
- B. Acceptance of September Financial Report
- C. Approval of Payment of Invoices
 - 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 Fall Meeting

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)

6. BUSINESS

- A. Consider Approval of Resolution 24-06 Ordering 2025 Improvement (15 min)
 - i. Ordering 2025 Improvement
 - ii. Making Findings Pursuant to Minnesota Statutes Section 103B.251
 - iii. Certifying Costs to Hennepin County
 - iv. Approving Agreement with City of Plymouth for Construction Plymouth Creek Restoration Project, Dunkirk Lane to 38th Ave. North (2025CR-P)
- B. Review Letters from Member Cities on Joint Powers Agreement (20 min)
- C. Consider Approval of Resolution 24-07 Amending Commission Bylaws (10 min)

- D. Consider Approving Budget Committee Recommendations (15 min)
- E. Review Plan Steering Committee Recommendations and Plan Process Tracker (15 min)
- F. Receive Report on Outcome of Watershed Based Implementation Funding Convene Process (5 min)

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/>



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)

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 - 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

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<https://www.loppet.org/events/loopet/>



Bassett Creek Watershed Management Commission

DRAFT Minutes of Regular Meeting and Plan Development Workshop
Thursday, August 15, 2024
8:30 a.m.
Golden Valley City Hall, 7800 Golden Valley Road

1. CALL TO ORDER and ROLL CALL

On Thursday August 15, 2024 at 8:33 a.m. Chair Cesnik called the Bassett Creek Watershed Management Commission (Commission) to order.

Commissioners, city staff, and others present

City	Commissioner	Alternate Commissioner	Technical Advisory Committee Members (City Staff)
Crystal	Joan Hauer	Terri Schultz (online)	<i>Absent</i>
Golden Valley	Paula Pentel	<i>Absent</i>	Eric Eckman
Medicine Lake	<i>Absent</i>	Shaun Kennedy	<i>Absent</i>
Minneapolis	Michael Welch	Jodi Polzin	Liz Stout
Minnetonka	<i>Absent</i>	Stacy Harwell	Leslie Yetka
New Hope	Jere Gwin-Lenth	<i>Absent</i>	Nick Macklem
Plymouth	Catherine Cesnik	Monika Vadali	Ben Scharenbroich
Robbinsdale	Wayne Sicora	<i>Absent</i>	Richard McCoy, Jenna Wolf
St. Louis Park	<i>Absent</i>	David Johnston	Erick Francis
Administrator	Laura Jester, Keystone Waters, LLC		
Engineers	Karen Chandler, Stephanie Johnson, Greg Williams – Barr Engineering Co.		
Recording Secretary	<i>Vacant Position</i>		
Legal Counsel	Dave Anderson, Kennedy & Graven		
Guests/Public	Tim Peschman, Plymouth resident; Mike Sorensen, Minneapolis Park and Rec Board; Jen Dullum, MN Board of Water and Soil Resources; Brian Vlach, Three Rivers Park District		

2. PUBLIC FORUM ON NON-AGENDA ITEMS

Tim Peschman, a resident of Plymouth, read a statement outlining concerns about potential groundwater contamination that may reach Medicine Lake from the site of a future redevelopment project over a closed landfill near Rockford Road and Vinewood Lane. He noted that he presented the same statement at the Plymouth Planning Commission meeting. He noted that the landfill site is not monitored on the west side of the property (although it is monitored on the east side) and is concerned about contaminants reaching Medicine Lake. He noted that heavy rain events result in high flows through a wetland between the landfill property and the lake. Plymouth TAC member Scharenbroich noted that the city is aware of the

landfill and the potential redevelopment of the site. He noted the city has not received a formal application for redevelopment and will thoroughly review the situation when/if they do. Commissioners appreciated the early notification. Commissioner Welch noted that if there is a risk that BCWMC approval of a redevelopment proposal would exacerbate pollution, then the issue is clearly in the Commission's purview, even if the Commission is rarely involved in groundwater issues.

3. APPROVAL OF AGENDA

Administrator Jester requested the addition of an agenda item to approve an amendment to the AIS prevention grant agreement with Hennepin County.

MOTION: Commissioner Gwin-Lenth moved to approve the agenda as amended. Commissioner Pentel seconded the motion. Upon a vote the motion carried 9-0.

4. CONSENT AGENDA

Item 4D: Approval of Creek Edge Townhomes Project, Crystal was removed from the consent agenda.

MOTION: Commissioner Welch moved to approve the consent agenda as amended. Commissioner Gein-Lenth seconded the motion. Upon a vote the motion carried 9-0.

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

- Approval of Minutes - July 18, 2024 Commission Meeting
- Acceptance of August Financial Report
- Approval of Payment of Invoices
 - Keystone Waters, LLC - July 2024 Administration
 - Keystone Waters, LLC - July 2024 Administrative Expenses
 - Barr Engineering - July 2024 Engineering Services
 - Triple D Espresso - Meeting Catering
 - City of Plymouth - July Accounting Services
 - Kennedy and Graven - Legal Services
 - Stantec - Watershed Outlet Monitoring Program (WOMP) Services
 - MMKR - 2023 Financial Audit

5. BUSINESS

New Item: Consider Approval of amendment to AIS Prevention Grant agreement with Hennepin County

Administrator Jester reported that the AIS Prevention grant from Hennepin County for Eurasian watermilfoil treatments on Sweeney Lake expires at the end of the year and includes an AIS early detection workshop. She reported that the EWM treatments and post-treatment surveys were completed but the workshop was not able to be scheduled for this year. Hennepin County is willing to extend the term of the grant agreement until December 31, 2025. She recommends approval of the amended agreement.

MOTION: Commissioner Pentel moved to approve the grant agreement amendment. Alternate Commissioner Kennedy seconded the motion. Upon a vote the motion carried 9-0.

Item 4D. Approval of Creek Edge Townhomes Project, Crystal

Commissioner Welch indicated that the memo included with the meeting materials should include information on how flood storage is being achieved with this project. The record of the Commission's decision needs to include the evidence for the decision, not only a conclusionary statement from the Commission Engineer. He also noted that the project is directly adjacent to the North Branch of Bassett Creek but does not trigger water quality and rate control standards. Commission Engineer Johnson indicated she believed the flood storage is being created through grading at the site and that additional details could be provided. Alternate Commissioner Harwell agreed with Commissioner Welch that documentation should be in the record and that the Commission should ensure the maintenance of the floodplain.

MOTION: Commissioner Welch moved to approve the Creek Edge Townhomes Project on the condition that the Commission

Engineer and Administrator confirm documentation of the floodplain storage and hydraulic connection of storage to the floodplain. Alternate Commissioner Harwell seconded the motion. Upon a vote the motion carried 9-0.

A. Consider Approving the Budget Committee Recommendations

- i. **Budget Committee Recommendations**
- ii. **Proposed Changes to Bylaws**
- iii. **2025 Proposed Budget**

Budget Committee Chair Sicora reminded commissioners that at the June Commission meeting, the Commission wasn't able to take action approving an overall budget due to last minute information from the auditor but directed staff to adjust the budget such that city assessments were less than 10% higher than 2024 assessments and that a line item for increased staff capacity was set no lower than \$10,000 and to send the proposed budget to member cities for comment. (No member cities submitted comments on the proposed budget.) He reported that the Budget Committee met on July 17th to review options for finalizing the budget and he reviewed the committee recommendations including adopting an 11-month budget for FY2025 (February 1, 2025 through December 31, 2025), amending the bylaws to shift the fiscal year to a calendar year, and approving the proposed budget that includes city assessments 6% higher than 2024 assessments. Administrator Jester noted that changing the fiscal year would require amending the bylaws with a 7-day notice to member cities and would require informing the Minnesota Office of the State Auditor but doesn't appear to require significant administrative tasks.

Budget Committee Chair Sicora reviewed the benefits of moving the fiscal year to a calendar year in addition to lowering the overall budget in 2025: member cities indicate that moving the BCWMC budget to a calendar year would be helpful in their budgeting process because the BCWMC process would move ahead in the calendar and would be more in line with city budgeting timing; annual reports, audits, grant reporting, and budget communications with the public would be more straightforward with a calendar-based fiscal year.

Commissioner Welch noted that moving the fiscal year ahead on the calendar may make auditing timelines more difficult but that the benefits outweigh the negatives. He also noted the budget is based on the Administrator's current compensation rate without an increase. There was discussion about the administrator's compensation and the potential need for additional staffing and/or a staff transition plan. Administrator Jester noted she has been at the same hourly rate since 2023 but did not request an increase for 2025. There was discussion about how/if to shift funding within the proposed budget to allow for higher administrator compensation. Commissioner Gwin-Lenth also expressed concern that a 12-month budget in 2026 may result in a significant increase in city assessments.

MOTION: Alternate Commissioner Kennedy moved to approve sending the proposed bylaws amendment to cities to incorporate a change to a calendar fiscal year, and to approve the 2025 budget with consideration by the Budget Committee to increase the Administrator's compensation or otherwise shift funding for staffing. Commissioner Gwin-Lenth seconded the motion. Upon a vote the motion passed 9-0.

B. Consider Approval of TAC Recommendations for Street Sweeping Prioritization Study

Technical Advisory Committee Chair Scharenbroich reported that at the TAC meeting in June, the TAC reviewed information from the Commission Engineer on a potential enhanced street sweeping prioritization study and heard how other watershed districts are using the results from similar prioritization studies to inform their work. He noted that at the August TAC meeting, the group reviewed a scope and budget for a street sweeping prioritization project in the Bassett watershed which they are recommending to the Commission.

Commission Engineer Johnson noted that street sweeping can be a cost-effective way to remove pollutants and improve water quality. She presented an overview of the enhanced street sweeping prioritization study including a survey of current operations in member cities, development and evaluation of a model of existing conditions, evaluation of seasonal efficiency and the cost benefit of enhanced sweeping, prioritization mapping, considerations of sweeping to reduce chloride pollution, and reporting. She noted that one proposed task involves analyzing Plymouth-specific sweeping data which the city of Plymouth is willing to pay for. Administrator Jester noted that since the purpose of the project is to help prioritize and target work for better water quality benefits, she and the TAC recommend using the Commission's Special Projects fund for the work.

Commissioner Pentel asked about assurances that the results of the study would be used by cities to enhance their street sweeping programs. Engineer Johnson noted that the Commission could encourage or incentivize enhanced street sweeping and noted that one of the benefits of the project is identifying barriers to better sweeping programs. TAC Chair Scharenbroich noted that cities have competing public works activities and that the results of the study could help them to focus efforts toward maximum benefit to BCWMC’s priority waters. Commissioner Pentel noted that the study may not be useful for cities with just a small portion in the Bassett Creek watershed. TAC member Eckman indicated his support for the study, noting it would be helpful to prioritize an effective sweeping approach.

There was concern from commissioners about the significant variables involved with the proposal including the impact of weather conditions on street sweeping, project cost, usefulness, and benefit of the study and the fact that it may help cities fulfill regulatory requirements which would not be an appropriate use of commission funds. Engineer Johnson reiterated that the purpose of the study is to provide information to enhance sweeping programs to achieve better water quality outcomes.

MOTION: Commissioner Jere Gwin-Lenth moved to table the item to a future meeting so that additional information and examples of uses of the results can be presented. Alternate Commissioner Harwell seconded the motion.

Discussion: Commissioner Welch noted the Commission did not request this study and wondered where it originated. He noted the memo is addressed to the TAC and not the Commission and indicated there are likely many questions from commissioners due to the lack of context for the need and relation to commission goals.

VOTE: Upon a vote the motion carried 9-0.

C. Consider Approving Policy on Diversity, Equity, Inclusion, and Accessibility

Administrator Jester reminded commissioners that they reviewed and discussed a policy related to the Commission’s commitment to addressing social inequities in their work. She noted the draft presented at this meeting makes a direct connection to specific areas of watershed work and she recommended approval.

There was a brief discussion about indices of social vulnerability used by different agencies/groups and in different applications to help focus activities. There was a suggestion to change language from “related indices” to “similar indices” in the policy statement. The policy would read:

The BCWMC is committed to understanding issues and prioritizing improvements in diversity, equity, inclusion, and accessibility as they relate to the Commission’s work in improving and protecting aquatic ecosystems, building climate resiliency, and reducing flood risk. The BCWMC strives for diverse representation in decision making, robust engagement and communication with historically underrepresented communities, equitable access to information and resources, and use of social vulnerability and similar indices in prioritization of its projects and programs.

MOTION: Commissioner Gwin-Lenth moved to approve the adoption of the policy with the change discussed. Alternate Commissioner Johnston seconded the motion.

Discussion: There was brief discussion on how a social vulnerability index could be used with CIP prioritization.

VOTE: Upon a vote the motion carried 9-0.

D. Consider Submitting Resolutions for Minnesota Watersheds 2025 Platform

Administrator Jester asked if any commissioners wished to propose a potential resolution for consideration by MN Watersheds (resolutions are due September 1). Commissioner Welch noted that Nine Mile Creek WD is considering submitting a resolution advocating for a regulatory approach to chloride management. He noted the Commission could support the resolution by voting for it at the annual MN Watersheds meeting if it’s presented there.

6. COMMUNICATIONS

A. Administrator’s Report

- i. Update on Hennepin County Comments on 2025 Maximum Levy – at their committee-of-the-whole meeting,

two Hennepin County commissioners commended the Commission's work before they approved the maximum levy request for 2025. The full County Board approved the request at their subsequent meeting.

- ii. Administrator Jester noted that she submitted a letter of support for maintaining current funding levels in the Clean Water Fund to the Clean Water Council.

B. Engineer

- i. Update on Sweeney Lake Carp Box Netting – Commission Engineer Chandler reported that preliminary box netting is being done to determine if a more robust box netting effort would be successful on Sweeney Lake. She noted that no effectiveness monitoring on Schaper Pond is being recommended this year.

C. Legal Counsel – No report

D. Chair – No report

E. Commissioners

- i. Report on Golden Valley Sustainability Fair – Commissioners Pentel and Hauer volunteered at the event and talked with many residents about the benefits of native plants (using the “root pull” display) and gave away the popular dog waste bag dispensers.
- ii. Report on Salt Symposium - Commissioner Hauer said she learned a lot from the event including interesting information on water softening and heated sidewalks. Commission Engineer Chandler reported that Commission Engineer Wilson attended the event and noted good information on using liquid deicers, the need for more groundwater monitoring, and low salt design ordinances being developed by Bolton and Menk.

- F. TAC Members – TAC Chair Scharenbroich reported that the TAC spoke about the joint powers agreement and that letters from cities who oppose any current provisions in the JPA will be submitted to the BCWMC by August 31st, as requested.

G. Committees

- i. Creek Co-naming Subcommittee – This subcommittee met recently to discuss how and where to use both the English and Dakota names for the creek. Their recommendations will be forwarded to the Education Committee at their next meeting.

7. INFORMATION ONLY (Information online only)

- a. Administrative Calendar
- b. CIP Project Updates www.bassettcreekwmo.org/projects
- c. Grant Tracking Summary and Spreadsheet
- d. WCA Notice, Golden Valley

[Alternate Commissioner Harwell leaves the meeting.]

8. PLAN DEVELOPMENT WORKSHOP

Plan Steering Committee Chair Kennedy provided an introduction to the workshop and overview of the purpose of the workshop. He reviewed the plan development progress to date and reminded commissioners that education activities will be presented within their own category in a future workshop.

BREAK INTO SMALL GROUPS

Commissioners, TAC members, and partners broke into four small groups to review, discuss, and recommend revisions to specific issue statements, desired future conditions, and 10-year goals for five issues in the Watershed and Waterbody Quality category and three issues in the Flooding and Climate Resiliency category.

After 45-minutes in small groups, the whole Commission came back together for a brief report out from each small group.

- 9. **ADJOURNMENT** – The meeting adjourned at 11:28 a.m.

Bassett Creek Watershed Management Commission		Item 4B BCWMC 9-19-24		
Statement of Financial Position as of 08/31/2024				
Unaudited		400	100	
		Capital Improvement Projects	General Fund	TOTAL
ASSETS				
Current Assets				
Checking/Savings				
•	101 · Wells Fargo Checking	919,867.28	571,849.44	1,491,716.72
•	102 · 4MP Fund Investment	3,501,986.62	368,571.69	3,870,558.31
•	103 · 4M Fund Investment	3,518,942.12	384,595.58	3,903,537.70
	104 · US Bank Checking	0.00	-197.53	-197.53
	Total Checking/Savings	7,940,796.02	1,324,819.18	9,265,615.20
Accounts Receivable				
•	112 · Due from Other Governments	0.00	0.00	0.00
•	113 · Delinquent Taxes Receivable	22,306.08	0.00	22,306.08
	Total Accounts Receivable	22,306.08	0.00	22,306.08
Other Current Assets				
•	114 · Prepays	0.00	3,294.00	3,294.00
	Total Other Current Assets	0.00	3,294.00	3,294.00
	Total Current Assets	7,963,102.10	1,328,113.18	9,291,215.28
TOTAL ASSETS		7,963,102.10	1,328,113.18	9,291,215.28
LIABILITIES & EQUITY				
Liabilities				
Current Liabilities				
Accounts Payable				
•	211 · Accounts Payable	6,734.42	98,887.21	105,621.63
	Total Accounts Payable	6,734.42	98,887.21	105,621.63
Other Current Liabilities				
•	212 · Unearned Revenue	150,000.00	0.00	150,000.00
•	251 · Unavailable Rev - property tax	22,306.08	0.00	22,306.08
	Total Other Current Liabilities	172,306.08	0.00	172,306.08
	Total Current Liabilities	179,040.50	98,887.21	277,927.71
	Total Liabilities	179,040.50	98,887.21	277,927.71
Equity				
•	311 · Nonspendable prepaids	0.00	3,294.00	3,294.00
•	312 · Restricted for improvements	4,562,582.00	0.00	4,562,582.00
•	314 · Res for following year budget	0.00	149,700.00	149,700.00
•	315 · Unassigned Funds	0.00	256,519.07	256,519.07
•	32000 · Retained Earnings	2,191,053.30	467,695.43	2,658,748.73
	Net Income	1,030,426.30	352,017.47	1,382,443.77
	Total Equity	7,784,061.60	1,229,225.97	9,013,287.57
TOTAL LIABILITIES & EQUITY		7,963,102.10	1,328,113.18	9,291,215.28
UNBALANCED CLASSES		0.00	0.00	0.00

Bassett Creek Watershed Management Commission						
Statement of Revenues, Expenditures, and changes in Fund Balance - General Fund						
8/31/2024						
Unaudited						
	Annual Budget	August	September	Year to Date	Budget Balance	
Ordinary Income/Expense						
Income						
410 · Special Projects Fund	0.00	0.00		0.00	0.00	
411 · Assessments to Cities	622,500.00	0.00		622,500.00	0.00	
412 · Project Review Fees	77,000.00	500.00		33,226.13	43,773.87	
413 · WOMP Reimbursement	5,000.00	0.00		4,500.00	500.00	
414 · State of MN Grants	0.00	387.50		387.50	-387.50	
415 · Investment earnings	0.00	34,405.19		225,134.71	-225,134.71	
416 · TRPD Reimbursement	5,000.00	0.00		0.00	5,000.00	
417 · Transfer from LT & CIP	227,840.00	0.00		0.00	227,840.00	
418 · Property Taxes	0.00	0.00		0.00	0.00	
419 · Insurance Dividend	0.00	0.00		0.00	0.00	
Total Income	937,340.00	35,292.69	0.00	885,748.34	51,591.66	
Expense						
1000 · Engineering						
1010 · Technical Services	145,000.00	16,217.60	11,850.50	99,566.10	45,433.90	
1020 · Development/Project Reviews	90,000.00	7,257.00	9,196.00	39,896.50	50,103.50	
1030 · Non-fee and Preliminary Reviews	30,000.00	6,007.00	2,176.00	30,099.00	-99.00	
1040 · Commission and TAC Meetings	15,000.00	1,771.89	1,328.50	10,596.39	4,403.61	
1050 · Surveys and Studies	15,000.00	0.00	0.00	0.00	15,000.00	
1060 · Water Quality / Monitoring	186,900.00	11,827.69	20,322.61	96,345.06	90,554.94	
1070 · Water Quantity	9,000.00	0.00	1,116.50	4,970.00	4,030.00	
1080 · Annual Flood Control Inspection	85,000.00	2,301.00	318.50	5,618.00	79,382.00	
1090 · Municipal Plan Review	2,000.00	0.00	0.00	0.00	2,000.00	
1100 · Watershed Monitoring Program	26,500.00	3,114.89	3,495.59	20,131.63	6,368.37	
1110 · Annual XP-SWMM Model Updates	3,000.00	0.00	0.00	148.00	2,852.00	
1120 · TMDL Implementation Reporting	0.00	0.00	0.00	0.00	0.00	
1130 · APM/AIS Work	40,000.00	15.50	3,336.30	16,621.95	23,378.05	
1140 · Erosion Control Inspections	0.00	0.00	0.00	0.00	0.00	
1000 · Engineering - Other	0.00	0.00	0.00	0.00	0.00	
Total 1000 · Engineering	647,400.00	48,512.57	53,140.50	323,992.63	323,407.37	
2000 · Plan Development						
2010 · Next Gen Plan Development	47,650.00	7,308.25	25,469.75	68,776.75	-21,126.75	
2000 · Plan Development - Other	0.00	0.00	0.00	0.00	0.00	
Total 2000 · Plan Development	47,650.00	7,308.25	25,469.75	68,776.75	-21,126.75	
3000 · Administration						
3010 · Administrator	78,750.00	4,706.25	3,918.75	37,518.75	41,231.25	
3020 · MAWD Dues	7,500.00	0.00	0.00	0.00	7,500.00	
3030 · Legal	26,520.00	1,493.55	1,493.55	16,517.18	10,002.82	
3040 · Financial Management	17,000.00	1,572.69	1,334.00	9,696.69	7,303.31	
3050 · Audit, Insurance & Bond	18,700.00	10,600.00	0.00	27,133.00	-8,433.00	
3060 · Meeting Catering	2,400.00	197.53	197.53	1,539.46	860.54	
3070 · Administrative Services	2,570.00	233.78	233.33	2,433.41	136.59	
3000 · Administration - Other	0.00	0.00	0.00	0.00	0.00	
Total 3000 · Administration	153,440.00	18,803.80	7,177.16	94,838.49	58,601.51	
4000 · Education						
4010 · Publications / Annual Report	1,200.00	0.00	0.00	1,008.50	191.50	
4020 · Website	1,600.00	0.00	0.00	693.97	906.03	
4030 · Watershed Education Partnership	18,350.00	0.00	4,000.00	18,850.00	-500.00	
4040 · Education and Public Outreach	28,000.00	0.00	0.00	2,655.23	25,344.77	
4050 · Public Communications	1,000.00	0.00	204.80	204.80	795.20	
4000 · Education - Other	0.00	0.00	0.00	0.00	0.00	
Total 4000 · Education	50,150.00	0.00	4,204.80	23,412.50	26,737.50	
5000 · Maintenance						
5010 · Channel Maintenance Fund	25,000.00	0.00	0.00	0.00	25,000.00	
5020 · Flood Control Project Long-Term	35,000.00	0.00	0.00	0.00	35,000.00	
5000 · Maintenance - Other	0.00	0.00	0.00	0.00	0.00	
Total 5000 · Maintenance	60,000.00	0.00	0.00	0.00	60,000.00	
6000 · Special Projects						
6010 · Medicine Lake TMDL Assess	85,400.00	580.00	8,895.00	22,710.50	62,689.50	
Total 6000 · Special Projects	85,400.00	580.00	8,895.00	22,710.50	62,689.50	
Total Expense	1,044,040.00	75,204.62	98,887.21	533,730.87	447,619.63	

Bassett Creek Watershed Management Commission						
Statement of Revenues, Expenditures, and changes in Fund Balance - Construction Fund						
8/31/2024						
Unaudited						
		Project Budget	September	Year to Date	Inception to Date Expense	Remaining Budget
Expense						
·	1000 · Engineering	0.00	0.00	0.00	0.00	0.00
·	2024CR-M · CIP-BS Main Stem Restore	1,941,000.00	0.00	1,771.00	87,266.39	1,853,733.61
·	2026CR-P · Plymouth Creek Restor Dunk 38t	0.00	0.00	65,807.71	108,261.58	-108,261.58
·	BC-12 · CIP-CostShare Pur High Eff St S	150,000.00	0.00	0.00	0.00	150,000.00
·	BC-14 · CIP-Sochacki Pk Wter Quality Im	600,000.00	0.00	0.00	0.00	600,000.00
·	BC-238 · CIP-DeCola Ponds B&C	1,600,000.00	0.00	0.00	1,507,985.31	92,014.69
·	BC-2381 · CIP-DeCola Ponds/Wildwood Pk	1,300,000.00	0.00	0.00	77,749.39	1,222,250.61
·	BC-5 · CIP-Bryn Mawr Meadows	1,835,000.00	2,063.00	8,932.58	755,404.56	1,079,595.44
·	BC-7 · CIP-Main Stem Lagoon Dredging	2,759,000.00	0.00	197.50	1,589,533.34	1,169,466.66
·	BCP-2 · CIP- Basset Cr Pk & Winnetka	1,123,351.00	0.00	0.00	1,075,698.32	47,652.68
·	ML-12 · CIP-Medley Park Stormwater	1,500,000.00	0.00	0.00	98,218.61	1,401,781.39
·	ML-20 · CIP-Mount Olive Stream Restore	178,100.00	0.00	0.00	178,100.00	0.00
·	ML-21 · CIP-Jevne Park Stormwater Mgmt	500,000.00	0.00	0.00	56,390.75	443,609.25
·	ML-22 · CIP-Ponderosa Wood Strm Restora	352,000.00	726.00	2,660.50	46,450.31	305,549.69
·	NL-2 · CIP-Four Seasons Mall	990,000.00	0.00	0.00	204,215.06	785,784.94
·	PL-7 · CIP-Parkers Lake Stream Restore	485,000.00	0.00	3,313.50	237,566.62	247,433.38
·	SL-3 · CIP-Schaper Pond	612,000.00	1,219.50	12,392.74	500,534.70	111,465.30
·	SL-8 · CIP-Sweeney Lake WQ Improvement	568,080.00	0.00	0.00	568,064.13	15.87
·	TW-2 · CIP-Twin Lake Alum Treatment	163,000.00	0.00	0.00	91,037.82	71,962.18
·	CL-4 · CIP-Crane Lake Chloride Reduction Pi	0.00	2,725.92	2,725.92	2,725.92	-2,725.92
Total Expense		16,656,531.00	6,734.42	95,075.53	7,185,202.81	9,471,328.19
Net Ordinary Income		-16,656,531.00	-6,734.42	1,033,152.22	-7,185,202.81	-9,471,328.19

BASSETT CREEK WATERSHED MANAGEMENT COMMISSION

NOTICE OF PUBLIC HEARING

Proposed Improvements Contained in the

Bassett Creek Watershed Management Commission's 2015 Watershed Management Plan

NOTICE IS HEREBY GIVEN that the Bassett Creek Watershed Management Commission (BCWMC) will hold a public hearing during its regular meeting on

Thursday, September 19, 2024 at 8:30 a.m.

Golden Valley City Hall; 7800 Golden Valley Road

Interested persons are invited to attend. The purpose of the hearing is to hear testimony and comments from the public and cities regarding the Plymouth Creek Restoration Project – Dunkirk Lane to 38th Ave. North proposed to begin in 2025. Project information available at <https://www.bassettcreekwmo.org/projects/all-projects/plymouth-creek-restoration-dunkirk-lane-38th-ave-n>.

This project in the City of Plymouth will stabilize streambanks, reduce erosion, improve water quality, and improve stream habitat along a 7,000-ft section of Plymouth Creek from Dunkirk Lane to 38th Ave. N. The project is expected to annually reduce pollution in Plymouth Creek and downstream in Medicine Lake by an estimated 148 lbs. of total phosphorus and almost 297,000 lbs. of total suspended solids. Vegetated buffers along the creek will be improved, accumulated sediment will be removed from two areas in the creek, and a section of the creek that was straightened in the past will be re-meandered to better mimic natural conditions. The total estimated project cost is \$2,600,000 which will come from BCWMC's Capital Improvement Program through 2025 - 2026 ad valorem property taxes collected by Hennepin County on property in the Bassett Creek Watershed.

BASSETT CREEK WATERSHED MANAGEMENT COMMISSION
RESOLUTION NO. 24-06

A RESOLUTION ORDERING THE 2025 IMPROVEMENT, DESIGNATING ENTITY
RESPONSIBLE FOR CONSTRUCTION, MAKING FINDINGS PURSUANT TO MINNESOTA
STATUTES, SECTION 103B.251, CERTIFYING COSTS TO HENNEPIN COUNTY, AND
APPROVING AGREEMENT FOR CONSTRUCTION OF THE 2025 IMPROVEMENT

WHEREAS, on September 17, 2015, the Bassett Creek Watershed Management Commission (“Commission”) adopted the *Bassett Creek Watershed Management Commission, Water Management Plan, September 2015* (the “Plan”);

WHEREAS, the Plan, as amended since its adoption, includes a capital improvement program (“CIP”) listing capital projects in Table 5-3 of the Plan;

WHEREAS, the CIP includes the following capital project for the year 2025: Plymouth Creek Restoration Project, Dunkirk Lane to 38th Ave. North (2025CR-P) (“2025 Project”);

WHEREAS, the Plan specifies a county tax levy under Minnesota Statutes, section 103B.251 as a source of funding for the 2025 Project and three previously ordered projects: Cost Share Purchase of High Efficiency Street Sweeper (BC-12); Bassett Creek Main Stem Restoration Project - Regent Ave to Golden Valley Rd (2024-CRM); and Sochacki Park Water Quality Improvement Project (BC-14);

WHEREAS, on September 19, 2024, following published and mailed notice in accordance with the Commission’s Joint Power Agreement and Minnesota Statutes, section 103B.251, the Commission conducted a public hearing on the 2025 Project; and

WHEREAS, the 2025 Project will be conducive to the public health, promote the general welfare and is in compliance with Minnesota Statutes, sections 103B.205 to 103B.255 (the “Act”) and with the Plan as adopted and amended in accordance with the Act.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Bassett Creek Watershed Management Commission as follows:

1. The Plymouth Creek Restoration Project, Dunkirk Lane to 38th Ave. North (2025CR-P) is hereby ordered.
2. The total estimated cost for the Plymouth Creek Restoration Project, Dunkirk Lane to 38th Ave. North is \$2,600,000. Of this amount, \$1,300,000 will be paid from funds received from a county tax levy pursuant to Minnesota Statutes, section 103B.251 levied in 2024 for collection in 2025. Additional funds of up to \$1,300,000 will be paid from funds received from a county tax levy pursuant to Minnesota Statutes, section 103B.251, levied in 2025 for collection in 2026.
3. The cost of the Bassett Creek Main Stem Restoration Project - Regent Ave to Golden Valley Rd Project was partially paid from a county tax levy collected in 2024 totaling \$434,000. Another \$500,000 will come from the City of Golden Valley and BCWMC closed project funds. Of the remaining estimated cost, 653,500 will be paid from funds received from a county tax levy pursuant to Minnesota Statutes, section 103B.251 levied in 2024 for collection in 2025. The remaining amount of \$653,500 will be paid from funds

received from a county tax levy pursuant to Minnesota Statutes, section 103B.251, levied in 2025 for collection in 2026.

4. The cost of the Sochacki Park Water Quality Improvement Project was partially paid from a county tax levy collected in 2024 totaling \$300,000. The remaining estimated cost of the project is \$2,000,000. Of this amount, \$1,700,000 will come from federal and local (non-Commission) funds. The final \$300,000 will be paid from funds received from a county tax levy pursuant to Minnesota Statutes, section 103B.251 levied in 2024 for collection in 2025.
5. The cost of the Cost Share Purchase of High Efficiency Street Sweeper was partially paid from a county tax levy collected in 2024 totaling \$100,000. The remaining cost share amount of 50,000 will be paid from funds received from a county tax levy pursuant to Minnesota Statutes, section 103B.251 levied in 2024 for collection in 2025.
6. In light of the above, the total amount certified to Hennepin County for the 2025 Project and the three previously ordered projects referenced above is \$2,303,500 for payment by the County in accordance with Minnesota Statutes, section 103B.251, subdivision 6.
7. The Commission has received, accepted, and approved the feasibility report for the Plymouth Creek Restoration Project, Dunkirk Lane to 38th Ave. North (2025CR-P).
8. The costs of the aforementioned projects will be paid by the Commission up to the amount specified in paragraphs 2 - 5 above from proceeds received from Hennepin County pursuant to Minnesota Statutes, section 103B.251 and grant funding, if awarded. Additional costs may be paid by the city constructing the particular project, but no additional costs will be charged to the Commission or other members of the Commission.
9. The City of Plymouth is designated as the member responsible for contracting for the construction of the Plymouth Creek Restoration Project, Dunkirk Lane to 38th Ave. North, and the engineer designated for preparation of plans and specifications is the Plymouth City Engineer, or other engineers selected and retained by the City of Plymouth. Contracts for construction shall be let in accordance with the requirements of law applicable to the City of Plymouth. The Cooperative Agreement with the City of Plymouth for the construction of the Plymouth Creek Restoration Project, Dunkirk Lane to 38th Ave. North (2025CR-P) presented to the Commission on the date of this Resolution is approved, and the Chair and Secretary are authorized to execute said agreement on behalf of the Commission.

Adopted by the Board of Commission of the Bassett Creek Watershed Management Commission the 19th day of September 2024.

Chair

ATTEST: _____
Secretary



Bassett Creek Watershed Management Commission

MEMO

To: BCWMC Commissioners
From: Laura Jester, Administrator
Date: September 10, 2024

RE: Item 6Aiii Certifying Costs to Hennepin County:

Recommendation: Direct staff to certify for payment by Hennepin County in 2025 a total tax levy of \$2,303,500 as shown in Resolution 24-06 and in the table on the following page.

Background

At their meeting in June 2024, the Commission set a maximum 2025 levy of \$2,303,500 for the projects below. I recommend certifying the same amount to the County for the final 2025 levy.

- 2025 portion of the Bassett Cr Main Stem Restoration Project - Regent Ave to Golden Valley Rd (2024-CRM) (project split among 2024, 2025, and 2026 levies)
- 2025 portion of the Sochacki Park Water Quality Improvement Project (BC-14) (project split between 2024 and 2025 levies)
- 2025 portion of the Cost Share Purchase of High Efficiency Street Sweeper (BC-12) (project split between 2024 and 2025 levies)
- 2025 portion of the Plymouth Creek Restoration Project: Dunkirk Lane to 38th Ave. N. (2025CR-P) (project split among 2025 and 2026 levies)

2025 Final Levy Request

Project Name	Project Number	2024 Levy	2025 Levy	2026 Levy	TOTAL (where applicable)
Bassett Creek Main Stem Restoration - Regent Ave to Golden Valley Rd	Golden Valley 2024-CR-M	\$634,000	\$953,500	\$653,500	\$2,241,000
Cost share purchase of high efficiency street sweeper	Golden Valley BC-12	\$100,000	\$50,000		\$150,000
Sochacki Water Quality Improvement Project	Robbinsdale & Golden Valley BC-14	\$2,000,000	\$300,000		\$2,300,000
Plymouth Creek Restoration Project Dunkirk Lane to Plym Ice Center	Plymouth 2025 CR-P		\$1,300,000	\$1,300,000	\$2,600,000
SUB TOTAL		\$4,138,000	\$2,603,500	\$2,353,500	
Estimated Use of Closed Project Account Funds		\$200,000	\$0	\$0	
City and Grant Funding		\$1,700,000 ¹	\$300,000 ²	\$0	
TOTAL LEVY		\$2,238,000	\$2,303,500	\$2,353,500	

¹ \$1,700,000 from Three Rivers Park District and other partners

² \$300,000 from City of Golden Valley

COOPERATIVE AGREEMENT

(Plymouth Creek Restoration Project: Dunkirk Lane to 38th Ave. N. (2025-CR-P))

This Cooperative Agreement (“**Agreement**”) is made as of this 19th day of September, 2024 by and between the Bassett Creek Watershed Management Commission, a joint powers watershed management organization (“**Commission**”), and the City of Plymouth, a Minnesota municipal corporation (“**City**”). The Commission and the City may hereinafter be referred to individually as a “party” or collectively as the “parties.”

RECITALS

- A. The Commission adopted the Bassett Creek Watershed Management Commission Watershed Management Plan on September 17, 2015 (“**Plan**”), a watershed management plan within the meaning of Minnesota Statutes, section 103B.231.
- B. The Plan includes a capital improvement program (CIP) that lists several capital improvements including the Plymouth Creek Restoration Project: Dunkirk Lane to 38th Ave. N. (2025-CR-P) (“**Project**”).
- C. The Project is in the City of Plymouth and will be designed and constructed by the City as described in the feasibility report for the Project prepared by Barr Engineering Co., entitled *Plymouth Creek Stream Restoration Project (2025 CR-P) Feasibility Report*, dated May 2024 (“**Feasibility Report**”), which is attached hereto as Exhibit A. The Project will consist of the work identified in the Feasibility Report as Option 3a – restore all high, medium, and low priorities areas and create a meander of the stream channel in reach 2.
- D. The estimated planning level opinion of cost of the Project, including feasibility study, design, administration, and construction, is \$2,600,000 which will be funded by the Commission according to the terms and conditions of this Agreement.
- E. On September 19, 2024, the Commission adopted a resolution ordering the Project and directing that it be constructed by the City.
- F. In accordance with the Plan, the Project costs will be certified to Hennepin County (“**County**”), which will levy taxes throughout the watershed for Project costs in 2024 and 2025 for collection and settlement in 2025 and 2026, pursuant to Minnesota Statutes, section 103B.251.
- G. The City is willing to construct the Project in accordance with the terms and conditions hereinafter set forth.

AGREEMENT

In consideration of the mutual covenants and agreements hereinafter set forth, and intending to be legally bound, the parties hereby agree as follows:

1. Project. The Project will consist of the work identified as Option 3a in the Feasibility Report, plus appendices, which includes restoring all high, medium, and low priority areas along a 7,000-foot section of Plymouth Creek from Dunkirk Avenue to 38th Avenue North, removing accumulated sediment in two areas of the creek, improving riparian vegetation by removing invasive species and dying trees and planting native species, and constructing a meander of the channel near Plymouth Creek Elementary School (in reach 2). The Project is estimated to reduce total phosphorus by 148.4 pounds per year and reduce total suspended solids 296,720 pounds per year.
2. Design and Plans; Land Use Rights. The City will design the Project and prepare plans and specifications for construction of the Project. The 50% and 90% plans and specifications shall be submitted to the Commission for approval in accordance with the Commission's CIP project review process. Throughout development of the plans, the City will use its best efforts to obtain all land use rights necessary for implementation of the Project in the form of either right-of-entry agreements or easements, as it deems appropriate. Said instruments will run in favor of the City and, accordingly, the drafting and recording of such instruments to any extent necessary will be the sole responsibility of the City. At the time of the Commission's review of the 90% plans, the City will provide a comprehensive update regarding its efforts to obtain such land use rights and any impacts such efforts have on the scope of the Project, if any, which will be reviewed by the Commission when determining whether to proceed with its approval of the 90% plans.

Any changes to the Commission-approved 90% plans and specifications must be submitted to the Commission for subsequent approval. Minor changes, however, may be approved by the City, at the recommendation of the Commission Engineer, without requiring additional approval by the Commission. For purposes of this paragraph, "minor changes" shall mean those changes to the approved plans that do not materially change either the effectiveness of the Project to meet its intended purposes, the aesthetics, form, or function of the Project, or the environmental impacts of the Project. For the avoidance of doubt, any changes to the Commission-approved 90% plans and specifications that are not considered minor changes require Commission review and approval.

3. Contract Administration. The City will advertise for bids and award contracts in accordance with the requirements of applicable law. The City will award the contract and supervise and administer the construction of the Project to ensure that it is completed in accordance with the approved plans and specifications. The contract may only be let to a responsible contractor in accordance with Minnesota Statutes, section 16C.285 and the City will require the contractor to provide all payment and performance bonds required by law. The City will further require the contractor to name the Commission as additional insured on all liability policies required by the City and the Commission shall be given the same notification of cancellation or non-renewal as is given to the City. The City will require the contractor to defend, indemnify, protect and hold harmless the Commission and the City, their agents, officers, and employees, from all claims or actions arising from negligent acts, errors or omissions of the contractor. The City will supervise the work of the

contractor. However, the Commission may observe and review the work of the Project until it is completed. The City will display a sign at the construction site stating “Paid for by the Taxpayers of the Bassett Creek Watershed.”

4. Contract Payments. The City will pay the contractor and all other expenses related to the construction of the Project and keep and maintain complete records of such costs incurred.
5. Commission Reimbursement. The Commission will use its best efforts to secure payment from the County in accordance with Minnesota Statutes, section 103B.251 in the amount of \$2,600,000 by tax levy in 2024 and 2025 for collection in 2025 and 2026. The total reimbursement paid by the Commission to the City for the Project may not exceed the total amount levied, less Commission expenses. Out-of-pocket costs incurred and paid by the Commission related to the Project including but not limited feasibility studies, publication of notices, securing County tax levy, preparation of contracts, review of engineering designs, review of proposed contract documents, grant application development, grant administration, administration of this contract, and up to a 2.5% administrative charge shall be repaid from the amount specified above from funds received in the tax settlement from the County. All such levied funds in excess of such expenses are available for reimbursement to the City for costs incurred by the City in the design and construction of the Project. Reimbursement to the City will be made as soon as funds are available, provided a request for payment has been received from the City that contains such detailed information as may be requested by the Commission to substantiate costs and expenses. The City shall complete and submit with its final reimbursement request to the Commission a final report on the Project using the Commission’s final reporting form and providing such other information as may be requested by the Commission.
6. Limits on Reimbursement. Reimbursement to the City under this Agreement will not exceed the lesser of the amount specified above (\$2,600,000) or the amount the Commission receives from the County for the Project, as contemplated herein, less any amounts retained by the Commission for Commission expenses. Reimbursement will not be increased by grants or other revenues received by the Commission for the Project. Reimbursement will not exceed the costs and expenses incurred by the City for the Project, less any amounts the City receives for the Project as grants from other sources. All costs of the Project incurred by the City in excess of such reimbursement shall be borne by the City or secured by the City from other sources.
7. Audit. All City books, records, documents, and accounting procedures related to the Project are subject to examination by the Commission and either the State Auditor or the Legislative Auditor for at least six years after completion of the Project.
8. Environmental Review. The City will perform all necessary investigations of site contamination and secure all necessary local, state, or federal permits required for the construction of the Project and will not proceed with the Project until any required environmental review and remediation of site contamination is completed or a plan for remediation is approved by appropriate regulatory agencies.
9. Ongoing Maintenance. Upon completion of the Project, the City shall be responsible for any ongoing maintenance in areas owned by the City or subject to City easements allowing for such

maintenance. In such areas, the City agrees to perform, at its cost, such maintenance as may be required to sustain the proper functioning of the improvements constructed as part of the Project for their useful life. In areas not owned by the City or not subject to City easements, the City agrees to provide property owners with a letter outlining recommended best practices and guidance for maintaining any improvements on their property (e.g. native vegetation buffers, trees, and stabilization measures). This section 9 will survive termination of this Agreement.

10. Data Practices. The City shall retain and make available data related to the Project and this Agreement in accordance with applicable laws, including, but not limited to, the Minnesota Government Data Practices Act.
11. Term. This Agreement shall be in effect as of the date first written above and shall terminate once the Project is completed and the Commission has completed its reimbursement payments to the City as provided herein.
12. Liability; Indemnification. This Agreement does not create a joint powers board or organization within the meaning of Minnesota Statutes, section 471.59. Additionally, each party agrees that it will be responsible only for its own acts and the results thereof to the extent authorized by the law and will not be responsible for the acts or omissions of the other and the results thereof. Furthermore, each party shall indemnify, defend and hold harmless the other against all claims, losses, damage, liability, suits, judgments, costs and expenses, including reasonable attorneys' fees, resulting from the alleged actions or inactions of the indemnifying party, its officers, employees, or agents. Any party seeking to be indemnified, defended, and held harmless as required herein shall provide timely notice to the indemnifying party when a claim is brought. The party undertaking the defense shall retain all rights and defenses available to the party or parties indemnified and no immunities are hereby waived that are otherwise available to the parties under law. Nothing in this Agreement shall constitute or be construed as a waiver of any exemptions or limitations on liability available to the parties under Minnesota Statutes, chapter 466 or any other law. For purposes of this Agreement and the cooperative activities contemplated herein, the parties hereto are considered a single governmental unit for purposes of total liability for damages pursuant to Minnesota Statutes, section 471.59, subd. 1a(b). This Agreement creates no right in and waives no immunity, defense or liability limitation with respect to any third party. As between the parties, only contract remedies are available for a breach of this Agreement. This section 12 will survive termination of this Agreement.
13. Entire Agreement. The above recitals and the exhibits attached hereto are incorporated in and made part of this Agreement. This Agreement contains the entire understanding between the parties regarding this matter and no amendments or other modifications of its terms are valid unless reduced to writing and signed by both parties.
14. Counterparts. This Agreement may be executed in any number of counterparts, each of which shall constitute one and the same instrument.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed by their duly authorized officers on behalf of the parties as of the day and date first above written.

BASSETT CREEK WATERSHED
MANAGEMENT COMMISSION

By: _____
Its Chair

And by: _____
Its Secretary

Date: _____

CITY OF PLYMOUTH

By: _____
Its Mayor

And by: _____
Its City Manager

Date: _____



Bassett Creek Watershed Management Commission

MEMO

To: BCWMC Commissioners and Alternate Commissioners
From: Administrator Jester
Date: September 10, 2024

RE: Correspondence from Member Cities on Joint Powers Agreement (JPA)

At the July 18th Commission meeting, Commission Attorney Anderson reminded commissioners that they reviewed comments from member cities on the JPA at the June meeting and approved only non-substantive changes to the document. At the July meeting he presented the next version of the JPA with those minor changes. (The provision allowing the Commission to compensate commissioners, and a 12-year term were unchanged and remained in the JPA.) The Commission approved his recommendation to submit the July version of the JPA to cities and to request correspondence from city leadership outlining provisions that would prevent the city from approving the JPA.

Letters were received from three cities and are attached here. In summary, the City of Robbinsdale indicates they will not approve the JPA if the provision allowing the Commission to compensate commissioners stays in the document. The City of St. Louis Park recommends revising the term of the JPA to 8 years. The City of Minneapolis strongly supports a JPA term of 8 years.

I recommend the Commission consider the city correspondence and discuss potential revisions to the [current version of the JPA](#) (as found in the July Commission meeting packet), or methods to engage with city leadership about the JPA. Cities have previously requested that a final JPA document be sent for signatures no later than November 1st.

City of Robbinsdale

4100 Lakeview Avenue North
Robbinsdale Minnesota • 55422-2280
Phone: (763) 537-4534
Fax: (763) 537-7344
Website www.robbinsdalemn.com



August 14, 2024

The Administrator
Bassett Creek Watershed Management Commission
P.O. Box 270825
Golden Valley, MN 55427

Dear Ms Jester,

Bassett Creek Joint Powers Agreement (JPA)

I wish to provide formal advice relating to the DRAFT Joint Powers Agreement (JPA) that has been circulated to Cities. It is acknowledged that agreement from all nine member cities is required to be obtained prior to the end of the calendar year to allow uninterrupted continuation of the Commission.

The content of the proposed JPA was discussed at a recent City Council Work Session. Based on those discussions, the City of Robbinsdale raises formal objection and is not prepared to sign off on the JPA in its current form. There is one clause that we will require to be amended before we would provide approval of the document. The clause of concern is contained in the proposed agreement as Section 3.3 and relates to the Commission itself being empowered with the authority to compensate Commissioners. We find this proposed clause to be unacceptable based on the following reasons –

- Robbinsdale City Code Sections 320.01 Subd 2 and 320.03 Subd 2, specifically identify that Planning Commissioners, Parks, Recreation and Forestry Commissioners and Human Rights Commissioners serve without compensation. While it is noted that these City Code sections refer to specific Commissions, the City seeks to maintain a consistent message across its Commissions.
- The proposed Bassett Creek JPA Section 3.3 language is out of step with the proposed Shingle Creek JPA language (renewal also required by the end of the year) that maintains similar language to the existing Section 5 Subd 6, related to compensation for Commissioners.
- The proposed Bassett Creek JPA Section 3.3 language takes away control of this issue from individual Member cities which is considered undesirable.

- The proposed Bassett Creek JPA Section 3.3 language allowing greater autonomy and independence in compensating Commissioners would be effectively allowing the Commission to establish paying itself without further checks and balances from the City.
- The payment of compensation to Commissioners would cause an increase in City Assessments.
- The City acknowledges the contributions and dedication of all its Commissioners, however it is noted that Commissioners are not publicly elected or held to the same public account as City Council Members with regard to expenditure of City funds.

The City of Robbinsdale requests that the Bassett Creek JPA Section 3.3 language be replaced with the language currently contained within the existing JPA Section 5 Subd 6 whereby each individual City retains the autonomy and authority to compensate its Commissioner(s) at its own discretion.

I look forward to the Commission reconsidering this matter and receiving an amended JPA document for action by City Council.

Yours sincerely,



Tim Sandvik
City Manager

Aug. 22, 2024

Catherine Cesnik, Chair
Bassett Creek Watershed Management Commission
16145 Hillcrest Lane
Eden Prairie, MN 55346

RE: BCWMC Joint Powers Agreement comments from the City of St. Louis Park

Dear Chair Cesnik:

In this letter, the City of St. Louis Park outlines its position on the currently proposed Joint Powers Agreement (JPA) dated July 8, 2024, and provides comments and recommendations.

The City of St. Louis Park has been a supporting member of the Bassett Creek Watershed Management Commission (BCWMC) since its establishment in 1968. The BCWMC has been a long-term valued partner with the city in managing flooding, improving water quality, and promoting the importance of managing stormwater runoff. The city looks to continue to maintain this relationship well into the future.

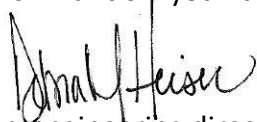
Commissioner, RJ Twiford, Alternate Commissioner, David Johnston, and Technical Advisory Committee Representative, Erick Francis, have appreciated their active role in developing the new JPA's direction with the broader Commission. However, the city would like to express the following concern and provide a recommendation on the proposed version of the JPA, which will define the Commission's existence in the future.

We find the proposed simultaneous expiration of the 10-year JPA and Watershed Management Plan (WMP) problematic and agree that the schedule needs realignment.

- Our recommendation is for the proposed JPA duration to be reduced from 12 to 8 years so as not to be on the same schedule as the WMP update.
- We see an opportunity to avoid a potential issue with updating WMP prior to updating the JPA. We feel that it would be ill-advised for the Commission to undertake the cost and effort to update the WMP prior to ratifying a future JPA if a future JPA is not approved and expires.
- Watershed Management Plan (WMP) update is statutorily mandated, and the Commission cannot modify its updating schedule.

The city appreciates the additional opportunity to comment on the current JPA. Feel free to contact Erick Francis if you have questions.

Sincerely,



Deb Heiser, Engineering director | City of St. Louis Park

Cc: Kim Keller, city manager; RJ Twiford, BCWMC commissioner; David Johnston, BCWMC alternate commissioner

August 29, 2024

Catherine Cesnik, Chair
Bassett Creek Watershed Management Commission
16145 Hillcrest Lane
Eden Prairie, MN 55346

RE: BCWMC Joint Powers Agreement – Minneapolis comments

Dear Chair Cesnik,

The City of Minneapolis has been a part of the Bassett Creek Watershed Management Commission (BCWMC) since its establishment in 1968. The BCWMC has been instrumental in supporting and leading flood control work that has reduced flooding in Minneapolis with the construction of flood control infrastructure including the new Bassett Creek Tunnel.

The Commission is currently in the process of updating the joint powers agreement (JPA) that defines the Commission's existence. The city, through its commissioner, Michael Welsh, alternate commissioner, Jodi Polzin, and technical advisory committee (TAC) member, Liz Stout has had an active role in providing comments and guidance on the JPA contents and direction.

Currently, the 10-year JPA update is on the same schedule as the update to the BCWMC's Watershed Management Plan. These are two significant processes that are occurring simultaneously. The Watershed Management Plan update schedule is statutorily mandated every ten years so choosing an alternative schedule for the periodic updates to the JPA would be beneficial to both the Commission and member cities.

Once the Commission is completed with the update to their Watershed Management Plan, there is an opportunity to complete an organizational analysis to assist with implementing the new goals and priorities of the plan. The next logical step would be to update the JPA to reflect any organizational changes before going into the next plan update cycle. This is why Minneapolis Public Works strongly supports the Commission adopt an 8-year term for the upcoming JPA and will be encouraging our elected officials to do the same as they approve the JPA language.

Thank you for providing the opportunity to comment on the BCWMC JPA. If you have any questions, please don't hesitate to contact Elizabeth Stout at elizabeth.stout@minneapolismn.gov.

Sincerely,



Bryan Dodds
Deputy Director/City Engineer
City of Minneapolis Public Works

CC: Tim Sexton, Minneapolis Public Works Director
Angie Craft, Minneapolis Public Works
Elizabeth Stout, Minneapolis Public Works
Michael Welsh, BCWMC Commissioner
Jodi Polzin, BCWMC Alternate Commissioner
Laura Jester, BCWMC Administrator

BASSETT CREEK WATERSHED MANAGEMENT COMMISSION
RESOLUTION NO. 24-07

RESOLUTION AMENDING BYLAWS

WHEREAS, the Board of Commissioners of the Bassett Creek Watershed Management Commission has considered proposed amendments to its Bylaws; and

WHEREAS, the notice of proposed changes was submitted to all member cities and persons entitled to notice in accordance with the requirements of the Commission's Joint Powers Agreement and Bylaws;

WHEREAS, the Board has determined that it is reasonable, expedient and in the best interest of the public to amend the Bylaws of the Commission.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Bassett Creek Watershed Management Commission as follows:

1. The Commission's Bylaws are amended to the form attached to this Resolution as Exhibit A.
2. The Commission Secretary is directed to provide a copy of the amended Bylaws to the clerk of each member city.

Adopted by the Board of Commission of the Bassett Creek Watershed Management Commission the 19th day of September 2024.

Chair

ATTEST: _____
Secretary

EXHIBIT A

BYLAWS

BASSETT CREEK WATERSHED MANAGEMENT COMMISSION

ARTICLE I

NAME AND MEMBERSHIP

Section 1. The name of the Commission shall be the "Bassett Creek Watershed Management Commission." The members of the Commission are the following municipalities:

City of Crystal
City of Golden Valley
City of Medicine Lake
City of Minneapolis
City of Minnetonka
City of New Hope
City of Robbinsdale
City of Plymouth
City of St. Louis Park

ARTICLE II

DEFINITION OF TERMS

Section 1. For the purposes of these bylaws, the terms defined in this Article shall have the meanings given them.

Sec. 2. "Commission" means the organization created by the Joint and Cooperative Agreement for Bassett Creek, the full name of which is "Bassett Creek Watershed Management Commission." It shall be a public agency of its members.

Sec. 3. "Board" means the Board of Commissioners of the Commission, consisting of one Commissioner from each of the governmental units that is a Member or, in absence of the Commissioner, that Member's Alternate Commissioner. The Board shall be the governing body of the Commission.

Sec. 4. "Commissioner" means the person appointed by a Member to serve on the Board of

the Commission.

Sec. 5. "Alternate Commissioner" means the person appointed by a Member to act as a Board member in the absence of the appointed Commissioner.

Sec. 6. "Council" means the governing body of a governmental unit that is a member of the Commission.

Sec. 7. "Governmental Unit" means any city, county or town.

Sec. 8. "Member" means a Governmental Unit that entered into the Agreement.

Sec. 9. "Agreement" means the "Joint and Cooperative Agreement" entered into by the nine Members, creating and establishing the Bassett Creek Watershed Management Commission.

Sec. 10. "Officers" means those persons designated as officers under Article IV, Section 1 of these bylaws.

ARTICLE III

BOARD MEMBERS

Section 1. The Board shall have nine Commissioners, one from each of the Members.

Sec. 2. The term of office of each Commissioner shall be three years, ending on February 1, or until his or her successor is selected and qualified, except as provided in Article V, Section 3 of the Agreement.

Sec. 3. If any Commissioner dies, resigns or is removed in accordance with the provisions of Article V, Subdivision 4 of the Agreement, that Commissioner's office shall be deemed vacant, and a successor shall be appointed for the unexpired term by the Council that appointed that Commissioner.

Sec. 4. Alternate Commissioners may be appointed to represent a Member. The Alternate Commissioner shall be appointed by the Council and may serve in lieu of the Member's Commissioner if the Commissioner is not present at the meeting. The Alternate Commissioner may

participate in all discussions and may vote on all proposals before the Board if the Commissioner is not present.

ARTICLE IV

OFFICERS AND EMPLOYEES

Section 1. The officers of the Board shall be the Chair, Vice Chair, Secretary and Treasurer. The offices of the Secretary and Treasurer may be combined and held by the same person. A Recording Secretary and a Deputy Treasurer may be appointed by the Board. The Recording Secretary and the Deputy Treasurer need not be Commissioners.

Sec. 2. The term of office for all officers shall be one year, and they shall be selected and take office at the first business meeting held after February 1.

Sec. 3. The Chair shall be the presiding officer of the Board. The Chair shall preside at all meetings of the Board, but shall have all of the same privileges of discussion, making motions and voting as do other Commissioners.

Sec. 4. The Vice Chair shall, in the absence or disability of the Chair, perform the duties and exercise the powers of the Chair.

Sec. 5. The Treasurer shall have the custody of the funds and securities of the Commission and shall keep full and accurate accounts of receipts and disbursements in books belonging to the Commission and shall deposit all monies and other valuable effects in the name and to the credit of the Commission in such depository as may be designated by the Board. The Treasurer shall disburse the funds of the Commission as ordered by the Board on orders signed by the Chair, Vice Chair, Secretary or Treasurer, taking the proper vouchers for such disbursements, and shall render to the Board at regular meetings, or as the Board may request, an account of all transactions and of the financial condition of the Commission. The Treasurer shall supervise and direct the work of the Deputy Treasurer. No Commission funds shall be disbursed without the signature of at least two

Officers of the Board, one of whom shall be the Treasurer or the Treasurer's authorized Deputy Treasurer.

Sec. 6. The Secretary shall attend all meetings of the Board and shall act as Clerk at such meetings and shall record all votes and the minutes of all proceedings in a minute book kept for that purpose. The Secretary shall give notice of all meetings of the Board and shall perform such other duties as may be prescribed by the Board. The Secretary may assign the aforestated duties to a Recording Secretary if authorized to do so by the Board.

Sec. 7. The Deputy Treasurer, if one is appointed, shall assist the Treasurer and shall perform the Treasurer's administrative duties during the absence or disability of the Treasurer, but the performance of such duties shall not make the Deputy Treasurer a Commissioner.

Sec. 8. The officers and employees of the Commission shall give bond as required by the Board, and by the Agreement, with corporate sureties satisfactory to the Board for the faithful performance of their duties and for restoration to the Commission, in case of death, resignation, retirement or removal from office, of all books, papers, vouchers, money and property of whatever kind coming into their possession or under their control, belonging to the Commission. The premium on any such bond shall be paid out of Commission funds.

Sec. 9. Any person engaged to perform any service or hold any office for the Commission, other than Chair, Vice Chair, Secretary and Treasurer, may be engaged on a full-time, part-time or consulting basis, as determined by the Board.

ARTICLE V

MEETINGS

Section 1. Regular monthly meetings of the Board shall be held at such locations and at such times as are specified from time to time by resolution of the Board. The Secretary shall cause copies of all such resolutions to be provided promptly to each of the Members and filed in the

primary offices of the Commission at Golden Valley City Hall. In the event the Board determines to hold a regular meeting at a location or time other than as specified in such resolution, such meeting shall be deemed a special meeting for purposes of giving notice; and notice of such meeting shall be given to all Members in accordance with Article V, Subd. 7 of the Agreement, to all Commissioners and Alternate Commissioners in accordance with this Article, and to the public in accordance with Minnesota Statutes, section 13D.04, as amended.

Section 2. For purposes of posting notice of meetings as required by Minnesota Statutes, section 13D.04, the community bulletin board at Golden Valley City Hall shall be deemed the principal bulletin board of the Commission.

Sec. 3. Written notice of all meetings of the Board shall be sent to all Commissioners, and to duly appointed Alternate Commissioners of all Members.

Sec. 4. Special meetings of the Board may be called by the Chair or any other three Commissioners jointly. The purpose of any special meeting shall be stated in the notice of the meeting.

Sec. 5. Written notice of regular meetings shall be sent at least four days prior to each meeting and written notice of special meetings shall be sent at least two days prior to each such meeting.

Sec. 6. At any meeting of the Board, five Commissioners or their Alternate Commissioners shall constitute a quorum.

Sec. 7. If the Secretary is absent from the meeting, and if a Recording Secretary has not been selected, the Chair shall appoint a Secretary Pro Tem for each meeting.

Sec. 8. All meetings shall be conducted in accordance with Robert's Rules of Order Revised, except as otherwise provided in the Agreement or these bylaws.

Sec. 9. The Board may from time to time determine the order of business for Board

meetings.

ARTICLE VI.

POWERS AND DUTIES OF COMMISSION

Section 1. The Commission is created and established by the Agreement. Its powers and duties shall be those established in said Agreement.

Sec. 2. The Board may exercise all powers necessary and incidental to the implementation of purposes and powers set forth in the Agreement.

Sec. 3. The Board may establish work committees, which committees shall act in advisory capacity to the Board. These committees may include persons who are not Board Members.

ARTICLE VII.

FINANCIAL MATTERS

Section 1. Commission funds may be expended in accordance with procedures established by law for the expenditure of funds for statutory cities. Orders, checks and drafts shall be signed by the Chair, Vice Chair or Secretary and the Treasurer or Deputy Treasurer. All claims shall be paid after audit by the Board. At least two Officers of the Commission shall sign all orders, checks or drafts in accordance with Article IV.

Sec. 2. Effective January 1, 2026, the fiscal year of the Commission shall be January 1 to December 31.

Sec. 3. The Board shall cause an annual audit to be made of all its books, reports and records by a certified public accountant.

Sec. 4. One or more depositories for Commission funds shall be designated by the Board at its annual meeting each year. Prior to such designation the Treasurer may recommend one or more depositories. Commission funds shall be deposited and invested in accordance with the laws applicable to cities.

ARTICLE VIII.
AMENDMENTS TO BYLAWS

Section 1. These bylaws may be amended at any regular or special meeting of the Board, provided that a seven day prior notice of the proposed amendment has been furnished to each Member.

Sec. 2. A majority vote of Commissioners shall be necessary to adopt any amendment to these bylaws.

Sec. 3. In any instance where these bylaws are in conflict with the "Joint and Cooperative Agreement", the Agreement shall control.

ARTICLE IX
TECHNICAL ADVISORY COMMITTEE

Section 1. There is hereby created a Technical Advisory Committee (TAC) of the Board.

Sec. 2. The Council of each Member may appoint a TAC member, and one or more alternate members of the TAC who may act in the absence of the TAC member. The clerk of each Member city shall notify the Secretary of the Commission of such appointments. TAC members may be, but need not be, members of the Board. TAC members shall serve at the pleasure of the Council that appoints them and are not required to meet statutory qualifications for board members.

Sec. 3. The TAC is a committee of the Board and its meetings shall be subject to the Minnesota Open Meeting Law, Minn. Stat., Ch. 13D.

Sec. 4. The Board may by resolution delegate to the TAC any duties or responsibilities that may lawfully be so delegated.

Sec. 5. Notice of all regular and special meetings of the Board shall be given to all TAC

members, and copies of all correspondence, agenda materials and other written materials provided to members of the Board shall also be provided to TAC members.

Sec. 6. TAC members may attend and participate in all meetings of the Board. TAC members shall not have the authority to make motions or vote on matters before the Board but shall otherwise have the rights of a Commissioner to question, discuss, debate and comment on any matter before the Board.

Adopted this 15th day of November, 1984.

Chair

Attest:

Secretary

Article V, Secs. 1 and 2 amended by Res. 96-2, adopted August 15, 1996.

Article V, Secs. 1 and 2 and Article IV, Sec. 2 amended by Res. 97-6 adopted April 17, 1997.

Article IX added by Res. 01-01, adopted July 19, 2001.

Articles I through IX amended by Res. 12-07, adopted September 20, 2012.

Article VII Sec. 2 amended by Res. 24-07, adopted September 19, 2024.



Bassett Creek Watershed Management Commission

MEMO

To: BCWMC Commissioners and Alternate Commissioners
 From: BCWMC Budget Committee
 Date: September 11, 2024

RE: 2025 Operating Budget & Administrator Compensation

At the August 15, 2024 meeting the BCWMC approved the concept of an 11-month budget year for 2025 (with a subsequent proposed change to the bylaws to shift the fiscal year) and requested that the Budget Committee assess the possibility of adjusting the 2025 operating budget to accommodate a potential increase in compensation for Administrator Laura Jester.

Administrator Jester provided the committee with a history of her past hourly rate increases since her contract began in 2013. Adjustments ranged from 3% to 4% increases, typically on a 3-year cycle. The last increase went into effect on February 1, 2023. Each rate increase was awarded as part of a performance review conducted by the Administrative Services Committee and formalized in an updated Administrative Contract.

The Budget Committee met on September 9, 2024 and reviewed four options for administrator compensation increases ranging from 0% to 4%, as noted on the following table.

Option	Compensation increase	Hourly Rate	2025 Total Administrator Compensation (11-month budget)	Total Proposed BCWMC 2025 Budget	Increase to Original Proposed 2025 Budget	Percent Increase in City Assessments over 2024
A	0%	\$ 75.00	\$ 72,200	\$ 823,565	\$ 0	6.0%
B	2%	\$ 76.50	\$ 73,644	\$ 825,009	\$ 1,444	6.3%
C	3%	\$ 77.25	\$ 74,366	\$ 825,731	\$ 2,166	6.4%
D	4%	\$ 78.00	\$ 75,088	\$ 826,453	\$ 2,888	6.5%

The Budget Committee recommends:

1. Approval of an 11-month Operating Budget for 2025 (February 1 – December 31) of \$825,731 (Option C) to accommodate a potential maximum administrator compensation increase of 3%.
2. Adjusting the 2025 operating budget through an increase the Administrator budget line and a corresponding increase to city assessments rather than a decrease in other budget lines (such as the budget line for additional staff). This results in city assessments 6.4% higher than 2024 (on average).
3. The Commission direct the Administrative Services Committee to conduct a performance review and recommend a specific compensation increase for consideration at a future BCWMC meeting, in accordance with the procedure followed in past contract negotiations.

	2022 Budget	2022 Gross Expenses	2022 Revenue	2022 NET Expenses	2023 Budget	2023 Gross Expenses	2023 Revenue	2023 NET Expenses	Final 2024 Budget as amended	Expected 2024 Revenue	Expected 2024 NET Expenses	Budget Cmte Rec 9-9-24 (11-month)	See Notes
ENGINEERING & MONITORING													
Technical Services	145,000	132,541		132,541	145,000	145,181	-	145,181	145,000	-	145,000	133,000	(A1)
Development/Project Reviews	75,000	103,851	77,617	26,234	80,000	76,360	79,170	(2,810)	90,000	77,000	13,000	82,500	(A)
			Review fees				Review fees			Review fees			
Non-fee and Preliminary Reviews	22,000	17,788	1,000	16,788	30,000	19,003	-	19,003	30,000	-	30,000	23,000	(B)
			Cost share w/ MPLS								-		
Commission and TAC Meetings	14,000	13,119		13,119	15,000	15,199	-	15,199	15,000	-	15,000	10,700	(C)
Surveys and Studies	10,000	14,283		14,283	15,000	6,572	-	6,572	15,000	-	15,000	7,000	(D)
Water Quality / Monitoring	110,000	109,478		109,478	105,000	98,246	-	98,246	186,900	-	186,900	133,500	(E)
Water Quantity	8,000	6,369		6,369	9,000	7,935	-	7,935	9,000	-	9,000	8,250	(F)
Annual Flood Control Project Inspections	12,000	21,290	21,290	-	15,000	21,428	20,200	1,228	85,000	85,000	-	45,000	(G)
			Transfer from long term account				Transfer from long term account			Transfer from long term account			
Municipal Plan Review	2,000	1,464		1,464	2,000	1,860	-	1,860	2,000	-	2,000	2,000	(H)
Watershed Outlet Monitoring Program	28,500	28,425	3,750	24,675	27,000	22,249	4,500	17,749	26,500	5,000	21,500	29,300	(I)
			Grant from Met Council				Grant from Met Council			Grant from Met Council			
Annual XP-SWMM Model Updates/Reviews	5,000	8,983		8,983	3,000	1,277	-	1,277	3,000	-	3,000		(J)
APM/AIS Work	13,000	41,844	22,500	19,344	40,000	44,674	-	44,674	40,000	-	40,000	40,000	(K)
			DNR Grant & Cost share w/ TRPD					-					
Subtotal Engineering & Monitoring	\$444,500	\$499,435	\$126,157	\$373,278	\$486,000	\$459,984	\$103,870	\$356,114	\$647,400	\$167,000	\$480,400	\$514,250	See Notes
PLANNING													
Next Generation Plan Development	18,000	47,372	11,000	36,372	53,250	85,774	9,000	76,774	47,650	18,000	29,650	32,600	(L)
			Transfer from Plan account				Transfer from Plan account			Transfer from Plan account			
Subtotal Planning	\$18,000	\$47,372	\$11,000	\$36,372	\$53,250	\$85,774	\$9,000	\$ 76,774	\$47,650	\$18,000	\$29,650	\$32,600	

Item	2022 Budget	2022 Gross Expenses	2022 Revenue	2022 NET Expenses	2023 Budget	2023 Gross Expenses	2023 Revenue	2023 NET Expenses	Final 2024 Budget as amended	Expected 2024 Revenue	Expected 2024 NET Expenses	Budget Cmte Rec 11-mo year for 2025	See Notes
ADMINISTRATION													
Administrator	70,848	69,174	34,000	35,174	78,750	70,517	44,140	26,377	78,750	44,760	33,990	74,366	(M)
			Transfer from CIP account				Transfer from CIP account			Transfer from CIP account			
Additional Staff												10,000	(MM)
MAWD Dues	7,500	7,500		7,500	7,500	7,500	-	7,500	7,500	-	7,500	7,500	(N)
Legal	17,000	20,204		20,204	17,000	22,296	-	22,296	26,520	-	26,520	24,300	(O)
Financial Management	13,500	14,260		14,260	14,540	15,240	-	15,240	17,000	-	17,000	18,150	(P)
Audit, Insurance & Bond	18,700	18,218		18,218	18,700	20,805	-	20,805	18,700	-	18,700	22,000	(Q)
Meeting Catering	1,300	1,830		1,830	2,400	1,935	-	1,935	2,400	-	2,400	2,200	(R)
Administrative Services	8,000	5,993		5,993	7,240	3,156	-	3,156	2,570	-	2,570	4,015	(S)
Subtotal Administration	\$136,848	\$137,179	\$34,000	\$103,179	\$146,130	\$141,449	\$44,140	\$97,309	\$153,440	\$44,760	\$108,680	\$162,531	
OUTREACH & EDUCATION													
Publications / Annual Report	1,300	1,164		1,164	1,000	1,338	-	1,338	1,200	-	1,200	1,300	(T)
Website	1,800	645		645	1,600	687	-	687	1,600	-	1,600	12,000	(U)
Watershed Education Partnerships	18,350	15,410		15,410	18,350	9,500	-	9,500	18,350	-	18,350	14,850	(V)
Education and Public Outreach	28,000	36,591	13,013	23,578	28,000	18,765	12,636	6,129	28,000	-	28,000	27,000	(W)
		Grant from BWSR			Grant from BWSR								
Public Communications	1,100	69		69	1,100	1,263	-	1,263	1,000	-	1,000	1,200	(X)
Subtotal Outreach & Education	\$50,550	\$53,879	\$13,013	\$40,866	\$50,050	\$31,553	\$12,636	\$18,917	\$50,150	\$0	\$50,150	\$56,350	
MAINTENANCE FUNDS													
Channel Maintenance Fund	25,000	25,000		25,000	25,000	25,000	-	25,000	25,000	-	25,000	25,000	(Y)
Flood Control Project Long-Term Maint.	25,000	25,000		25,000	35,000	35,000	-	35,000	35,000	-	35,000	35,000	(Z)
Subtotal Maintenance Funds	\$50,000	\$50,000	\$0	\$50,000	\$60,000	\$60,000	\$0	\$60,000	\$60,000	\$0	\$60,000	\$60,000	
TMDL WORK													
TMDL Implementation Reporting	7,000	3,397	-	3,397	-	-	-	-	-	-	-	-	(AA)
Subtotal TMDL Work	\$7,000	3,397	-	3,397	\$0	\$0	\$0	\$0					
GRAND TOTAL	\$706,898	\$791,262	\$184,170	\$607,092	\$795,430	\$778,760	\$169,646	\$609,114	\$958,640	\$229,760	\$728,880	\$825,731	

NOTES

(A1) General technical services by Barr Engineering; 2025 budget is same as 2024 budget (1/12 less with 11- mo year)

(A) Partially funded by application fees; with the creation of the preliminary and non-fee budget category, most of the review costs will be covered by application fees. Budget based on recent actual expenses and projected number of projects submitted for review. New review fees effective Aug 1, 2022. No change in budget from 2024 (1/12 less with 11- mo year)

(B) This was a new line item in 2015 used to cover reviews for which either we do not receive an application fee or it's too early in the process for us to have received an application fee. Includes DNR application reviews, MnDOT project reviews, and other prelim reviews requested by administrator and member cities. Reviews for large projects such as SWLRT reviews and North Loop Green Project have been partially or fully reimbursed to Commission. Decreased budget due to 2022 and 2023 actuals (1/12 less with 11- mo year)

(C) Includes attendance at BCWMC meetings, TAC meetings and other committee meetings, as needed. 2025 budget is slightly increased due to 2023 actuals (1/12 less with 11- mo year)

(D) For Commission-directed surveys and studies not identified in other categories - e.g., past work has included watershed tours, Medicine Lake outlet work, Flood Control Project Maintenance and Responsibilities policy development, Sweeney Lake sediment monitoring, stream monitoring equipment purchase. Intended to give Commission flexibility to investigate or tackle unforeseen issues that arise. Budget lowered in 2020, 2021, and 2022 for budget savings. Increased in 2023 and 2024. 2025 budget significantly reduced for budget savings.

(E) Routine lake and stream monitoring. See details on next page.

(F) Water Quantity (lake level) monitoring. 2018 budget lowered for budget savings and resulted in fewer data points. 2019 budget back to earlier budget levels. 2020 budget lowered again for budget savings. 2022 and 2023 budget increase allows for additional measurements and benchmark checks, beyond the once/month lake level measurements to assist with proper maintenance of hydrologic and hydraulic modeling and climate resiliency preparations. 2024 and 2025 same as 2023 budget (1/12 less with 11- mo year)

(G) 2025 budget includes the once-every-5-year unsubmerged deep tunnel inspection (non-NASSCO) and annual inspections. Budget assumes \$25,000 for deep tunnel inspection (includes \$10,000 in subcontractor fees for crane and inspection/rescue support services), \$15,000 for annual inspections, and \$3,000-\$5,000 for coordination on flood control project issues. The BCWMC Flood Control Project Double Box Culvert Repairs CIP project (FCP-1) is slated for 2027, which means feasibility study is needed in 2025 or 2026. (Feasibility study will be financed with CIP funds.) The results of the 2024 double box culvert inspection will be used for the feasibility study. The last deep tunnel inspection was 2020, next one is due 2030.

http://www.bassettcreekwmo.org/application/files/4514/9637/1815/2016_FCP_Policies.pdf

(H) Municipal plan approvals completed in 2019; however, this task has also included review of adjacent WMO plan amendments, and review of city ordinances; \$2,000 budget recommended annually.

(I) Monitoring at the Watershed Outlet Monitoring Program (WOMP) site in Minneapolis through an agreement with Met Council (MCES). Commission is reimbursed \$5,000 from Met Council. Met Council pays for equipment, maintenance, power, cell service, and lab analyses. Monitoring protocol changed in 2017 with collection of bi-monthly samples (up from once-per-month sampling). Both Barr and Stantec (previously Wenck) have tasks related to WOMP activities. Station was moved in late 2020. 2025 budget reflects 2024 contract with Stantec and includes Barr estimates (\$7,500 for Barr + \$21,800 for Stantec).

(J) This item is used to make updates to the XP-SWMM model, coordinate with P8 model updates, and assist cities with model use. No XP-SWMM updates were performed 2019 - 2021 due to work on the grant funded FEMA modeling project. 2022 budget includes finalizing updates to the Commission's official model and flood elevations to match the "FEMA model" (this work was started in 2021 using "Surveys and Studies" budget). 2024 and 2023 budgets include Barr requesting, compiling, and reviewing information provided by the cities and flagging those that are large enough/significant enough to incorporate into the XP-SWMM and P8 model updates. In 2025 the broader XP-SWMM to PCSWMM and update project will begin. Work typically included in this line item will be wrapped into that project instead. As this covers both XP-SWMM and P8, we assumed \$0 for the TMDL Implementation Reporting (P8 model update) budget.

Notes (continued)

(K) Funds to implement recommendations of Aquatic Plant Management/Aquatic Invasive Species Committee likely including curly-leaf pondweed control in Medicine Lake and small grant program for launch inspectors, education/outreach, etc. by other organizations including TRPD, AMLAC, others. TRPD shares cost (17%) of treatments. In 2021, recieved \$5,000 DNR grant. In 2022, recieved \$10,000 DNR grant. No grant funds were recieved in 2023 and 2024. In 2022 and for a few years thereafter, treatment costs are expected to be significantly higher due to expanded treatment area allowed under Lake Vegetation Management Plan.

(L) The scope and budget for development of the 2025 Watershed Plan was approved in February 2022. \$38,000 has already been set aside 2019 - 2022 in a long term account for Plan development, of which \$11,000 was initially planned to cover work in 2022. The Commission approved a revised Plan scope and budget in September 2022 to include additional funding to address "complex issues." In 2022, Barr spent approximately \$41,000 as part of the original Plan update and complex issues tasks. In 2023, Barr and the administrator spent \$72,987 as part of the original Plan update and complex issues tasks. In 2024, the combined budget for Barr and the Administrator is \$47,650. In 2025, the estimated combined budget for Barr and the Administrator is \$32,600 (\$22,900 for Barr, and \$9,700 for the Administrator). Revenue includes transfer from plan development long term account to help offset costs.

(M) Accomodates a potential 3% increase to administrator hourly rate in 2025.

(MM) Increased staff capacity. Although budgeted amount won't cover significantly increased staffing, it's a start and a placeholder for future additional staffing budget.

(N) MN Association of Watershed District Annual dues. New budget item. 2019 and 2020 dues were \$500 because WMOs were newly allowed to join the organization. 2021 dues \$3,750. Starting in 2022 dues went to the max of \$7,500 similar to other Metro watersheds.

(O) For Commission attorney. 2022 budget included 3% hourly rate increase over 2021 + more work expected. Acutal costs in 2022 were \$3,000 over budget. 2024 budget was amended from \$21,000 to \$26,520 approved 12/21/23 to be more in line with acutal costs. Legal costs for some CIP projects will be charged to specific CIP budgets, as warranted (1/12 less with 11-mo year).

(P) In 2024, Commission began contractoing with the City of Plymouth for accounting services. 2025 budget is based on 2024 contract with \$1,334/month + \$150/hour for audit services up to 25 hours (1/12 less with 11-mo year).

(Q) Insurance and audit costs have risen considerably in the last few years. 2022 audit cost \$12,800. 2023 audit contract is for \$13,750. 2023 insurance was \$7,905.

(R) Assumes 12 in-person meetings @ \$200 per meeting (1/12 less with 11-mo year).

(S) Assumes the BCWMC contracts with a Recording Secretary @ \$40/hr * 4 hrs/mo for 12 months (\$1,920 total) + \$180/mo meeting packet printing/mailing + \$300 supplies (envelopes, stamps, etc) (1/12 less with 11-mo year)

(T) Budget was decreased in last few years to be more in line with actual expenses. Costs are associated with Commission Engineer assistance with annual report

(U) \$1,600 based on agreement with HDR for website hosting and maintenance activitieS + \$10,400 for website update (needed for ADA compliance and supported platform)

(V) Includes CAMP (\$7,000), Metro Watershed Partners (\$3,500), Children's Water Festival (\$350), Metro Blooms resident engagement in Minneapolis neighborhoods (\$4,000). Budget was reduced from previous years to remove Metro Blooms workshops (which have not been scheduled in last several years)

(W) Includes funding for West Metro Water Alliance at \$15,000 (an increase of \$2,000 over previous years to support new coordinator position) and \$12,000 for work by educational contractors + supplies and materials including educational signage, display materials, Commissioner training, etc.

(X) Public Communications covers required public notices for public hearings, etc.

(Y) Will be transferred to Channel Maintenance Fund for use by cities with smaller projects along main streams.

(Z) \$35,000 Will be transferred to Long-Term Maintenance Fund. Budget increased from \$25,000 in 2023 to be more in line with expected costs at TAC's recommendation.

(AA) This task is meant for updating the P8 pollution model. A significant portion of the Commission's P8 model will be updated in 2024 as part of the Medicine Lake TMDL Assessment project. P8 model updates are also being planned for following the comprehensive update to the Commission's XPSWMM/PCSWMM model in 2026. Because of this, no additional P8 model updates are planned for 2025.

BCWMC 2025 Water Quality Monitoring Budgets - by item		
Item	Budget	Notes
Reporting on 2024 monitoring:		
Cavanaugh Lake Report on 2024 Monitoring	\$8,500	Report will follow template of recent reports.
Medicine Lake Report on 2024 Monitoring	\$10,000	Report will follow template of recent reports.
Parkers Lake Report on 2024 Monitoring	\$8,500	Report will follow template of recent reports.
Westwood Lake Report on 2024 Monitoring	\$8,500	Report will follow template of recent reports.
2025 monitoring:		
Year 2 of North Branch stream flow and quality monitoring	\$40,000	Flow and monitoring equipment will be reinstalled in the North Branch of Bassett Creek. Samples will be collected during 8 storm events and 7 baseflow events. Water depth, flow, temperature, and specific conductance will be continuously measured during the 2024 monitoring period. Dissolved oxygen will be continuously measured for 4 days during July or August. Storm and base flow samples will be analyzed for nutrients (total phosphorus, ortho phosphorus, dissolved phosphorus, nitrate/nitrite, ammonia, and total Kjeldahl nitrogen), solids (total suspended solids and volatile suspended solids), chlorides, hardness, calcium, and magnesium. Base-flow samples will also be analyzed for chlorophyll a, and E. coli bacteria. Quarterly grab samples will be analyzed for metals (chromium, cadmium, copper, lead, nickel, and zinc). Instantaneous dissolved oxygen and pH measurements will be taken when baseflow samples are collected. MCES Lab will perform the analyses. Four manual flow measurements will be taken to verify/adjust the rating curve. Budget assumes an average level of maintenance and trouble-shooting efforts. Cellular data services will be purchased directly from the vendor (Campbell Scientific). Equipment will be removed at the end of the monitoring period. Data will be reviewed and QAQC'd. Data will be submitted to the MPCA EQUIS database.
Northwood and Crane Lakes	\$46,000	Detailed lake monitoring includes monitoring one location on Crane Lake and one location on Northwood Lake on 6 occasions for selected parameters (total phosphorus, ortho phosphorus, total nitrogen, chlorophyll a, chloride, temperature, pH, DO, and specific conductance), plus parameters associated with AIS vulnerability (alkalinity, sodium, hardness, calcium, and magnesium) sample analysis, phytoplankton and zooplankton collection and analysis, an aquatic plant survey (two occasions), calculation of aquatic plant IBIs, preparation of dissolved oxygen, temperature, total phosphorus, and specific conductance isopleths, completion of trend analyses of total phosphorus, chlorophyll a, and Secchi disc average summer values. Final report preparation(following template of recent reports) and presentation costs deferred to 2026.
General water quality	\$12,000	Based on past year actual budgets, increased to \$12,000 for 2025
Total Water Quality Monitoring	\$133,500	

Proposed 2025 Revenues	
Proposed Income	Budget Cmte Rec 9-9-24 (11-month)
Assessments to cities	\$ 662,166
Investment Income	
CIP Administrative Funds (2.0% of est. requested levy of \$2,303,500)	\$ 46,070
Project review fees	\$ 70,600
Transfer from Long-term Maint Fund for Flood Control Proj Inspections	\$ 45,000
WOMP reimbursement	\$ 5,000
TRPD reimbursement	
Transfer from Watershed Plan Fund	
TOTAL PROPOSED INCOME	\$ 828,836
Expected Expenses	
Total operating budget	\$ 825,731
Fund Balance Details	
Est. Beginning Fund Balance (Jan 31, 2025)	\$ 431,209
Change in Fund Balance (income - expenses)	\$ 3,105
Est. Remaining Fund Balance (Jan 31, 2026)	\$ 434,314

Community	For Taxes Payable in 2024	2024 Percent of	Area Watershed (w/ 2022 changes)	Percent of	Average	2020	2021	2022	2023	2024	Budget Cmte Rec 9-9-24 (11-mo year)	Percent increase over 2024
	Net Tax Capacity	Valuation	in Acres	of Area	Percent	\$550,450	\$554,900	\$565,998	\$617,430	\$ 622,500	\$ 662,166	
Crystal	\$13,491,675	5.51	1,297	5.11	5.31	\$29,062	\$29,898	\$30,206	\$32,769	\$33,280	\$35,143	5.6%
Golden Valley	\$59,252,512	24.19	6,615	26.05	25.12	\$144,693	\$145,228	\$148,477	\$155,084	\$159,957	\$166,321	4.0%
Medicine Lake	\$1,665,817	0.68	199	0.78	0.73	\$3,975	\$3,928	\$3,988	\$4,518	\$4,455	\$4,846	8.8%
Minneapolis	\$18,628,473	7.60	1,685	6.64	7.12	\$37,631	\$37,983	\$39,103	\$43,959	\$43,481	\$47,144	8.4%
Minnnetonka	\$17,027,639	6.95	1,108	4.36	5.66	\$29,967	\$29,622	\$30,437	\$34,927	\$34,069	\$37,457	9.9%
New Hope	\$13,019,891	5.31	1,368	5.39	5.35	\$28,987	\$29,464	\$30,087	\$33,037	\$34,431	\$35,431	2.9%
Plymouth	\$105,012,941	42.86	12,001	47.26	45.06	\$245,942	\$247,860	\$252,307	\$278,225	\$279,012	\$298,384	6.9%
Robbinsdale	\$4,315,237	1.76	369	1.45	1.61	\$8,937	\$9,299	\$9,288	\$9,924	\$10,599	\$10,643	0.4%
St. Louis Park	\$12,574,371	5.13	752	2.96	4.05	\$21,257	\$21,618	\$22,105	\$24,987	\$23,216	\$26,798	15.4%
TOTAL	\$244,988,556	100.00	25,394	100.00	100.00	\$550,450	\$554,900	\$565,998	\$617,430	\$ 622,500	\$ 662,166	6.4%



Bassett Creek Watershed Management Commission

MEMO

To: BCWMC Commissioners and Alternate Commissioners
From: Administrator Jester on Behalf of Plan Steering Committee
Date: September 9, 2024

RE: Plan Steering Committee Recommendations Following August Workshop

On August 15th the BCWMC held a commission workshop to review and discuss issue statements, desired future conditions, and 10-year goals for several issues proposed for the 2025 Watershed Management Plan. After a brief update on the plan development progress and a few reminders of upcoming topics, attendees broke into four small groups to discuss the Plan Steering Committee's recommendations. Then the full group came back together for a brief report on small group discussions. A complete set of workshop notes is found [here](#) which were reviewed by the Plan Steering Committee.

At their meeting on September 4th, the Plan Steering Committee developed the following recommended changes to issues and goals in response to the input received at the workshop.

Groundwater-Surface Water Interactions:

- Slight revision to issue statement: *The ~~uncertainty~~ complexity of groundwater and surface water interactions complicates our ability to protect, restore, and responsibly manage natural resources*
- Slight revision to goal #1: *~~Understand~~ Identify areas of groundwater-surface water interaction characteristics of corresponding to BCWMC priority waterbodies.*
- In the body of the plan, context related to this issue will include a note that identifying areas with groundwater-surface water interaction may expand beyond priority waterbodies in the future.

Degradation of Riparian Areas:

- Significant rewording of issue statement to better reflect intended issue of poor habitat and ecological function rather than erosion issues (which are addressed in a separate issue statement and goals): *Degraded vegetated buffers in riparian areas result in decreased ecological function and habitat and allow excess pollutant loading to water resources, contributing to impairments (water quality and biological) ~~and result in decreased ecological function and habitat.~~*
- Slight revision to goal #1 to indicate the BCWMC is not typically the entity establishing the buffer: *~~Establish and maintain~~ Require establishment and maintenance of native vegetation along streams through BCWMC buffer requirements, wherever triggered.*
- Revision to goal #2 due to questions on exact meaning of original language: *Restore degraded riparian areas adjacent to ~~75% of all applicable~~ BCWMC CIP projects (e.g., creek restoration projects or those adjacent to waters or wetlands) where applicable.*

Degradation of Upland Areas:

- Slight revision to goal #1 to remove possible confusion with Greenway Corridor in Minneapolis: *Consider and support preservation or enhancement of upland natural areas and greenway corridor connections within BCWMC interest and authority.*

Groundwater Quality:

- Slight revision to issue statement to acknowledge that chloride is a groundwater pollutant. Chloride reduction goals stated in a separate issue will help reduce chloride in both surface waters and groundwater and will be referenced in the context within the body of the plan: *Groundwater quality impacts public health as a source of drinking water and may be threatened by infiltration of stormwater and associated pollutants, such as chloride.*

Impact of climate change on hydrology, water levels, and flood risk:

- An implementation activity will be added to map areas of higher risk where additional flood storage is needed.
- Slight revision for goal #3: Implement at least 3 CIP projects that reduce flood risk on structures or infrastructure.
- Combining goals 5 and 6 into one goal because they are so similar.

Bassett Creek Valley flood risk reduction and stormwater management opportunities:

- Goal #1 is revised to include improving creek access within the goal.
- A map of the Bassett Creek Valley will be included with context in the body of the Plan.

Groundwater Quantity:

- Slight revision to goal #2 to clarify “storm” water reuse is the focus of the goal.
- Added a 4th goal: Increase groundwater recharge through required and encouraged stormwater infiltration practices.



Bassett Creek Watershed Management Commission

Watershed Plan Development - Progress Tracker September 2024 Update

At their meeting on August 7th the Plan Steering Committee (PSC) reviewed input from the Plan TAC, continued developing issue statements and goals for Organizational Effectiveness and planned for the August Commission workshop. At their meeting on September 4th, the PSC reviewed feedback received at the workshop, finalized issue statements and goals for DEIA-related issues, and discussed the process for developing some technical policies and implementation activities.

Month and Year	Plan Steering Committee Work
September 2023 thru February 2024	<p>Developed format for presenting and discussing issue statements, desired future conditions, 10-year goals, potential actions/strategies, and tracking notes.</p> <p>Developed mission statement: <i>Stewardship of water resources to reduce flood risk and improve watershed ecosystem health.</i></p> <p>Developed issue statements and measurable goals addressing:</p> <ul style="list-style-type: none"> • Impaired waters • Chloride loading • Streambank and gully erosion • Lakeshore erosion • Wetland health and restoration <p>Received update on plan development budget.</p> <p>Reviewed input from the Plan TAC which met in December 2023.</p> <p>Planned for January 2024 Commission workshop and responded to input received.</p> <p>Discussed implementation capacity of Commission.</p>
March 7, 2024	<p>Reviewed and approved updated waterbody classification table; recommended keeping current list of priority waterbodies.</p> <p>Reviewed plan development calendar and timeline.</p> <p>Revisited discussion on future funding and governance structure, acknowledging complicated matter given JPA status and difficulty writing a 10-year plan considering that the future structure or funding of the organization could change . General approach agreed to: 1) get the JPA updated and keep the JPA update simple; 2) engage with cities to gain support for additional staff hours/higher operating budget; 3) build</p>

Month and Year	Plan Steering Committee Work
	<p>the plan with a tiered approach dependent on staffing and structure; 4) analyze organizational structure early in plan Implementation.</p> <p>There was concern from some that momentum for analyzing organizational structure will wane once new JPA is adopted. PSC members acknowledged that future structure will be further explored within the “organizational effectiveness” category in the coming months and a commission workshop would incorporate this item.</p> <p>Developed issue statements, measurable goals and possible implementation actions for:</p> <ul style="list-style-type: none"> • Aquatic Invasive Species • Groundwater – Surface Water Interaction (partial)
April 3, 2024	<p>Revisited discussion on future funding and governance structure for the Commission. Noted that at March Commission meeting, the topic was introduced but without enough background and written materials. The group considered providing a memo on the governance item to the Commission but ultimately decided to provide a monthly status report to the Commission that includes a summary of PSC discussions and plan development progress. Again, the PSC confirmed the funding and governance topic would be subject of a future Commission workshop.</p> <p>Finalized development of issue statements, measurable goals and possible implementation actions for Waterbody and Watershed Quality category including:</p> <ul style="list-style-type: none"> • Groundwater – Surface Water Interaction • Degradation of Riparian Areas • Degradation/Loss of Upland Areas • Groundwater Quality <p>Discussed format and timing for next Plan TAC meeting.</p> <p>Rescheduled June and July PSC meetings.</p>
May 1, 2024	<p>Developed issue statements, measurable goals and possible implementation actions for a portion of the Flooding and Climate Resiliency category:</p> <ul style="list-style-type: none"> • Impact of climate change on hydrology, water levels, and flood risk <p>Reviewed draft mockup of Waterbody and Watershed Quality Issues and Goals section.</p> <p>Discussed timing and topics for next Commission workshop.</p>
June 12, 2024	<p>Finalized issue statements, measurable goals and possible implementation actions for a portion of the Flooding and Climate Resilience category:</p> <ul style="list-style-type: none"> • Impact of climate change on hydrology, water levels, and flood risk • Bassett Creek Valley flood risk reduction and stormwater management opportunities

Month and Year	Plan Steering Committee Work
	<ul style="list-style-type: none"> • Groundwater quantity <p>Began developing issue statements, measurable goals and possible implementation actions for Education and Outreach category:</p> <ul style="list-style-type: none"> • Provide outreach to and develop relationships with diverse communities (need policy from Commission before finalizing) • Recreation opportunities
July 10, 2024	<p>To the extent possible (without a DIEA policy), finalized issue statements, measurable goals and possible implementation actions for Education and Outreach category:</p> <ul style="list-style-type: none"> • Provide outreach to and develop relationships with diverse communities • Protect recreation opportunities • POTENTIAL NEW ISSUE: Increase resident and stakeholder capacity for stewardship <p>Developed issue statements, measurable goals and possible implementation actions for some issues in the Organizational Effectiveness category:</p> <ul style="list-style-type: none"> • Organizational assessment of capacity and staffing • BCWMC funding mechanisms <p>Begin planning for Commission August 15th Commission workshop to discuss the remaining 9 goals of the Waterbody and Watershed Quality category and all 10 goals in the Flooding and Climate Resilience category.</p>
August 7, 2024	<p>Reviewed Planning TAC input on remaining goals in Waterbody and Watershed Quality category and all goals in Flooding and Climate Resiliency category</p> <p>Finalized plans for August 15th Commission Workshop</p> <p>Finalized issue statements, measurable goals and possible implementation actions for Organizational Effectiveness category.</p> <ul style="list-style-type: none"> • Progress assessment • Public ditch management • Carbon footprint of BCWMC projects
September 4, 2024	<p>Reviewed input from August Commission Workshop and made revisions to issues and goals.</p> <p>Finalized issue statements, measurable goals and possible implementation actions for remaining goals area under the Education and Outreach category and Organizational Effectiveness category:</p> <ul style="list-style-type: none"> • Engagement of diverse communities • Projects and programs implemented through a DEI lens

Month and Year	Plan Steering Committee Work
	Discussed mechanism for developing and discussing technical policies and implementation strategies such as street sweeping, buffer standards, linear project requirements, chloride reduction strategies, etc.
October 2, 2024	<p>Discuss possible revisions to the BCWMC's Requirements document:</p> <ul style="list-style-type: none"> • Requirements related to winter maintenance and chloride minimization design practices • Changes to linear project standards <p>Review final DEIA-related goals and issues</p> <p>Review excerpt from draft implementation section Review street sweeping prioritization study Review draft Education and Engagement Plan (plan appendix) Review draft Monitoring Plan (plan appendix)</p>
October 2, 2024 Nov 6, 2024	Continue review of draft appendices Continue discussion of implementation activities or associated guidance for addressing various goals (building on content developed during goal development). What changes, additions, deletions from 2015 policies are needed?
Nov 6, 2024 Dec 4, 2024	Continue discussion on activities.
December 4, 2024 January 2025	Review updated CIP prioritization metrics to reflect this plan's priority issues. Review potential CIP projects 2026 – 2035.
January 2025 February 2025	Discuss implementation of plan including CIP implementation and staff capacity.
February 2025 March 2025	Catch up month for unfinished work from last few months. Review complete implementation program, including CIP. Plan for Commission workshop
April 2025	Finalize activities and implementation program Review various plan sections Prepare recommendation on complete plan for Commission action at May 15 Commission meeting
May 2025	Review the complete Plan document
May 20 – July 20, 2025	60-day comment period
August 2025	Review comments and discuss draft responses to comments
September 2025	Review and finalize responses to comments Plan for public hearing (required per MN Rule 8410)

Month and Year	Plan Steering Committee Work
	Prepare recommendations to Commission
October 2025	
Nov 1 – Jan 31, 2025	90-day comment period; presentation to BWSR (likely week of Jan 5, 2026); target January 28, 2026 BWSR Board meeting for approval
February 2026	Final BWSR approval and Commission adoption (5 months past due)

*Plan TAC = Regular city TAC members plus state and local agencies and other partners



Bassett Creek Watershed Management Commission MEMO

Date: September 10, 2024
From: Laura Jester, Administrator
To: BCWMC Commissioners
RE: **Administrator's Report**

Aside from this month's agenda items, the Commission Engineers, city staff, committee members, and I continue to work on the following Commission projects and issues.

CIP Projects (more resources at <http://www.bassettcreekwmo.org/projects.>)

2019 Medicine Lake Road and Winnetka Avenue Area Long Term Flood Mitigation Plan Implementation Phase I: DeCola Ponds B & C Improvement Project (BC-2, BC-3 & BC-8) Golden Valley (No change since Nov 2021): A feasibility study for this project was completed in May 2018 after months of study, development of concepts and input from residents at two public open houses. At the May 2018 meeting, the Commission approved Concept 3 and set a maximum 2019 levy. Also in May 2018, the Minnesota Legislature passed the bonding bill and the MDNR has since committed \$2.3M for the project. The Hennepin County Board approved a maximum 2019 levy request at their meeting in July 2018. A BCWMC public hearing on this project was held on August 16, 2018 with no comments being received. Also at that meeting the Commission officially ordered the project and entered an agreement with the City of Golden Valley to design and construct the project. In September 2018, the City of Golden Valley approved the agreement with the BCWMC. The [Sun Post](#) ran an article on this project October 2018. Another public open house and presentation of 50% designs was held February 6, 2019. An EAW report was completed and available for public review and comment December 17 – January 16, 2019. At their meeting in February 2019, the Commission approved the 50% design plans. Another public open house was held April 10th and a public hearing on the water level drawdown was held April 16th. 90% Design Plans were approved at the April Commission meeting. It was determined a Phase 1 investigation of the site is not required. The City awarded a contract to Dahn Construction for the first phase of the project, which involves earthwork, utilities, and trail paving and extends through June 2020. Dewatering began late summer 2019. Tree removal was completed in early winter; excavation was ongoing through the winter. As of early June 2020, earth work and infrastructure work by Dahn Construction is nearly complete and trail paving is complete. Vegetative restoration by AES is underway including soil prep and seeding. Plants, shrubs, and trees will begin soon along with placement to goose protection fencing to help ensure successful restoration. The construction phase of this project was completed in June with minor punch list items completed in September. The restoration and planting phase is complete except for minor punch list items and monitoring and establishment of vegetation over three growing seasons. A final grant report for BWSR's Watershed Based Implementation Funding was submitted at the end of January. City staff recently completed a site walk through to document dead or dying trees and shrubs in need of replacement (under warranty). This project (along with Golden Valley's Liberty Crossing Project) recently received the award for "Project of the Year" from the Minnesota Association of Floodplain Managers as part of the overall Project website: <http://www.bassettcreekwmo.org/index.php?CID=433> .

2020 Bryn Mawr Meadows Water Quality Improvement Project (BC-5), Minneapolis (No change since August): A feasibility study by the Commission Engineer was developed in 2018 and approved in January 2019. The study included wetland delineations, soil borings, public open houses held in conjunction with MPRB's Bryn Mawr Meadows Park improvement project, and input from MPRB's staff and design consultants. Project construction year was revised from 2020 and 2022 to better coincide with the MPRB's planning and implementation of significant improvements and redevelopment Bryn Mawr Meadows Park where the project will be located. A public hearing for this project was held September 19, 2019. The project was officially ordered at that meeting. In January 2020 this project was awarded a \$400,000 Clean Water Fund grant from BWSR; a grant work plan was completed and the grant with BWSR was fully executed in early May 2020. The project and the grant award was the subject of an article in the Southwest Journal in February: <https://www.southwestjournal.com/voices/green-digest/2020/02/state-awards-grant-to-bryn-mawr-runoff-project/>. In September 2020, Minneapolis and MPRB staff met to review the implementation agreement and maintenance

roles. BCWMC developed options for contracting and implementation which were presented at the November meeting. At that meeting staff was directed to develop a memorandum of understanding or agreement among BCWMC, MPRB, and city of Minneapolis to recognize and assign roles and responsibilities for implementation more formally. The draft agreement was developed over several months and multiple conversations among the parties. At the May 2021 meeting the Commission approved to waive potential conflict of the Commission legalcounsel and reviewed a proposal for project design by the Commission Engineer. The updated design proposal and the design agreement among all three parties were approved at the June 2021 meeting. Four public open houses were held in the park in 2021 to gather input on park concepts. Project partners met regularly throughout design to discuss schedules, planning and design components, and next steps. Concept designs were approved by the MRPB Board in late 2021. Staff met with MnDOT regarding clean out of Penn Pond and continue discussions. 50% design plans were approved by the Commission at the January 2022 meeting; 90% design plans were approved at the March 2022 meeting along with an agreement with MPRB and Minneapolis for construction. The agreement was approved by all three bodies. Commission Engineers finalized designs and assisted with bidding documents. Bids were returned in early August. At the meeting in August, the Commission approved moving forward with project construction (through MPRB), and approved a construction budget (higher than previously budgeted) and an amended engineering services budget. MPRB awarded the construction contract. In late November the contractor began the initial earthwork and started on portions of the stormwater pond excavations. By late December the 1st phase of construction was complete with the ponds formed and constructed. The contractor began driving piles in late January and began installing underground piping in early February. At the March meeting, the Commission approved an increase to the engineering services budget and learned the construction budget is currently tracking well under budget. The change order resulting from the City of Minneapolis' request to replace a city sewer pipe resulted in extra design/engineering costs that were approved by the Administrator so work could continue without delays. The MPRB will reimburse the Commission for those extra costs and will, in-turn, be paid by the city. In early May construction was focused in the Morgan / Laurel intersection. The right-of-way storm sewer work is complete including the rerouting of some of the existing storm infrastructure and installation of the stormwater diversion structures. Construction of the ponds is complete and stormwater from the neighborhood to the west is now being routed through new storm sewers to the ponds. Vegetation is currently being established around the ponds. At the October meeting the Commission approved an amendment to the agreement with MPRB and Minneapolis in order to facilitate grant closeout. At the December 2023 meeting the Commission approved a partial reimbursement to MPRB for \$400,000. Corrections to a weir that was installed at the wrong elevation were made in spring 2024. A final grant report was submitted to the MN Board of Water and Soil Resources in late January 2024 and the final grant payment was recently received. Project as-built drawings were recently completed and an operations and maintenance plan is being developed. Final reimbursement requests from MPRB and Minneapolis are expected later this year. Project website: <http://www.bassettcreekwmo.org/projects/all-projects/bryn-mawr-meadows-water-quality-improvement-project>

2020 Jevne Park Stormwater Improvement Project (ML-21) Medicine Lake (No change since July 2023): At their meeting in July 2018, the Commission approved a proposal from the Commission Engineer to prepare a feasibility study for this project. The study got underway last fall and the city's project team met on multiple occasions with the Administrator and Commission Engineer. The Administrator and Engineer also presented the draft feasibility study to the Medicine Lake City Council on February 4, 2019 and a public open house was held on February 28th. The feasibility study was approved at the April Commission meeting with intent to move forward with option 1. The city's project team is continuing to assess the project and understand its implications on city finances, infrastructure, and future management. The city received proposals from 3 engineering firms for project design and construction. At their meeting on August 5th, the Medicine Lake City Council voted to continue moving forward with the project and negotiating the terms of the agreement with BCWMC. Staff was directed to continue negotiations on the agreement and plan to order the project pending a public hearing at this meeting. Staff continues to correspond with the city's project team and city consultants regarding language in the agreement. The BCWMC held a public hearing on this project on September 19, 2019 and received comments from residents both in favor and opposed to the project. The project was officially ordered on September 19, 2019. On October 4, 2019, the Medicine Lake City Council took action not to move forward with the project. At their meeting in October 2019, the Commission moved to table discussion on the project. The project remains on the 2020 CIP list. In a letter dated January 3, 2022, the city of Medicine Lake requested that the Commission direct its engineer to analyze alternatives to the Jevne Park Project that could result in the same or similar pollutant removals and/or stormwater storage capacity. At the March meeting, the Commission directed the Commission Engineer to prepare a scope and budget for the alternatives analysis which were presented and discussed at the April 2022 meeting. No action was taken at that meeting to move forward with alternatives analysis. In May and June 2023, Commission staff discussed the possibility of incorporating stormwater management features into a redevelopment of Jevne Park currently being considered by the City of Medicine

Lake. After review of the preliminary park design plans, the Commission Engineer and I recommended implementation of the original CIP Project to the City. Project webpage: <http://www.bassettcreekwmo.org/index.php?cID=467>.

2014 Schaper Pond Diversion Project and Carp Management, Golden Valley (SL-3): Repairs to the baffle structure were made in 2017 after anchor weights pulled away from the bottom of the pond and some vandalism occurred in 2016. The city continues to monitor the baffle and check the anchors, as needed. Vegetation around the pond was planted in 2016 and a final inspection of the vegetation was completed last fall. Once final vegetation has been completed, erosion control will be pulled and the contract will be closed. The Commission Engineer began the Schaper Pond Effectiveness Monitoring Project last summer and presented results and recommendations at the May 2018 meeting. Additional effectiveness monitoring is being performed this summer. At the July meeting the Commission Engineer reported that over 200 carp were discovered in the pond during a recent carp survey. At the September meeting the Commission approved the Engineer's recommendation to perform a more in-depth survey of carp including transmitters to learn where and when carp are moving through the system. At the October 2020 meeting, the Commission received a report on the carp surveys and recommendations for carp removal and management. Carp removals were performed through the Sweeney Lake Water Quality Improvement Project. Results were presented at the February 2021 meeting along with a list of options for long term carp control. Commission took action approving evaluation of the long-term options to be paid from this Schaper Pond Project. Commission and Golden Valley staff met in March 2021 to further discuss pros and cons of various options. At the September 2021 meeting, the Commission approved utilizing an adaptive management approach to carp management in the pond (\$8,000) and directed staff to discuss use of stocking panfish to predate carp eggs. Commission Engineers will survey the carp in 2022. At the April meeting, the Commission approved panfish stocking in Schaper Pond along with a scope and budget for carp removals to be implemented later in 2022 if needed. Commission staff informed lake association and city about summer activities and plans for a fall alum treatment. Approximately 1,000 bluegills were released into Schaper Pond in late May. Carp population assessments by electroshocking in Sweeney Lake and Schaper Pond were completed last summer. A report on the carp assessment was presented in January. Monitoring in Schaper Pond in 2023 and a reassessment of carp populations in 2024 were approved in early 2023. Carp box netting in 2024 is also approved, as needed. A carp survey of Schaper Pond and Sweeney Lake were recently completed which found higher than expected carp numbers in Sweeney Lake. Carp Solutions is currently testing box netting in Sweeney Lake to determine if a more robust netting operation is warranted later this year. Project webpage: <http://www.bassettcreekwmo.org/index.php?cID=277>.

2014 Twin Lake In-lake Alum Treatment, Golden Valley (TW-2) (No changes since August): At their March 2015 meeting, the Commission approved the project specifications and directed the city to finalize specifications and solicit bids for the project. The contract was awarded to HAB Aquatic Solutions. The alum treatment spanned two days: May 18- 19, 2015 with 15,070 gallons being applied. Water temperatures and water pH stayed within the desired ranges for the treatment. Early transparency data from before and after the treatment indicates a change in Secchi depth from 1.2 meters before the treatment to 4.8 meters on May 20th. There were no complaints or comments from residents during or since the treatment.

Water monitoring continues to determine if and when a second alum treatment is necessary. Lake monitoring results from 2023 were presented at the July 2024 meeting. Results show continued excellent water quality. The CIP funding remains in place for this project as a 2nd treatment may be needed in the future. Project webpage: <http://www.bassettcreekwmo.org/index.php?cID=278>.

2013 Four Seasons Area Water Quality Project (NL-2) (No change since November 2023): At their meeting in December 2016, the Commission took action to contribute up to \$830,000 of Four Seasons CIP funds for stormwater management at the Agora development on the old Four Seasons Mall location. At their February 2017 meeting the Commission approved an agreement with Rock Hill Management (RHM) and an agreement with the City of Plymouth allowing the developer access to a city-owned parcel to construct a wetland restoration project and to ensure ongoing maintenance of the CIP project components. At the August 2017 meeting, the Commission approved the 90% design plans for the CIP portion of the project. At the April 2018 meeting, Commissioner Prom notified the Commission that RHM recently disbanded its efforts to purchase the property for redevelopment. In 2019, a new potential buyer/developer (Dominium) began preparing plans for redevelopment at the site. City staff, the Commission Engineer and I have met on numerous occasions with the developer and their consulting engineers to discuss stormwater management and

opportunities with “above and beyond” pollutant reductions. Concurrently, the Commission attorney has been working to draft an agreement to transfer BCWMC CIP funds for the above and beyond treatment. At their meeting in December, Dominion shared preliminary project plans and the Commission discussed the redevelopment and potential “above and beyond” stormwater management techniques. At the April 2020 meeting, the Commission conditionally approved the 90% project plans. The agreements with Dominion and the city of Plymouth to construct the project were approved May 2020 and project designers coordinated with Commission Engineers to finalize plans per conditions. In June 2021, the City of Plymouth purchased the property from Walmart. The TAC discussed a potential plan for timing of construction of the stormwater management BMPs by the city in advance of full redevelopment. At the August 2021 meeting, the Commission approved development of an agreement per TAC recommendations. The city recently demolished the mall building and removed much of the parking lot. At the December meeting the Commission approved the 90% design plans and a concept for the city to build the CIP project ahead of development and allow the future developer to take credit for the total phosphorus removal over and above 100 pounds. At the July meeting, the Commission approved an agreement with the city to design, construct, and maintain the CIP project components and allow a future developer to use pollutant removal capacity above 100 pounds of total phosphorus. A fully executed agreement is now filed. The updated 90% project plans were approved at the September meeting. Unfortunately, city staff recently indicated that due to permitting inconsistencies with the U.S. Army Corps of Engineers, the project will not be built this winter as planned. The city is now planning to construct the project in the fall and winter of 2024. Project webpage: <http://www.bassettcreekwmo.org/index.php?cID=282>.

2021 Parkers Lake Chloride Reduction Project (PL-7) (No change since March): The feasibility study for this project was approved in May 2020 with Alternative 3 being approved for the drainage improvement work. After a public hearing was held with no public in attendance, the Commission ordered the project on September 17, 2020 and entered an agreement with the city of Plymouth to implement the project in coordination with commission staff. City staff and I have had an initial conversation about this project. The city plans to collect additional chloride data this winter in order to better pinpoint the source of high chlorides loads within the subwatershed. Partners involved in the Hennepin County Chloride Initiative (HCCI) are interested in collaborating on this project. A proposal from Plymouth and BCWMC for the “Parkers Lake Chloride Project Facilitation Plan” was approved for \$20,750 in funding by the HCCI at their meeting in March. The project will 1) Compile available land use data and chloride concentrations, 2) Develop consensus on the chloride sources to Parkers Lake and potential projects to address these sources, and 3) Develop a recommendation for a future pilot project to reduce chloride concentrations in Parkers Lake, which may be able to be replicated in other areas of Hennepin County, and 4) help target education and training needs by landuse. A series of technical stakeholder meetings were held last fall and winter to develop recommendations on BMPs. A technical findings report was presented at the July 2022 meeting. At the September 2022 meeting, the Commission approved a scope and budget for a study of the feasibility of in-lake chloride reduction activities which was presented at the November meeting. Following direction from the Commission, Commission staff are preparing a scope for a holistic plan for addressing chloride runoff from the most highly contributing subwatershed. Commission Engineers and Administrator recently met with city staff and the WMWA educator to discuss outreach, possibly highly contributing properties, data needs, and possible approaches to reducing chlorides. Project website: www.bassettcreekwmo.org/projects/all-projects/parkers-lake-drainage-improvement-project

2022 Medley Park Stormwater Treatment Facility (ML-12) (No change since February): The feasibility study for this project is complete after the Commission Engineer’s scope of work was approved last August. City staff, Commission Engineers and I collaborated on developing materials for public engagement over the fall/early winter. A project kick-off meeting was held in September, an internal public engagement planning meeting was held in October, and a Technical Stakeholder meeting with state agencies was held in November. A [story map of the project](#) was created and a survey to gather input from residents closed in December. Commission Engineers reviewed concepts and cost estimates have been reviewed by city staff and me. Another public engagement session was held in April to showcase and receive feedback on concept designs. The feasibility report was approved at the June meeting with a decision to implement Concept #3. At the July meeting the Commission directed staff to submit a Clean Water Fund grant application, if warranted. A grant application was developed and submitted. Funding decisions are expected in early December. A public hearing on this project was held in September with no members of the public attending. In September, a resolution was approved to officially order the project, submit levy amounts to the county, and enter an agreement with the city to design and construct the project. The city hired Barr Engineering to develop the project designs which are now underway. The BCWMC received a \$300,000 Clean Water Fund grant from BWSR in December 2021 and the grant agreement approved in March 2022. 50% design plans were approved in February 2022 and 90% plans were approved at

the May 2022 meeting. Final plans and bid documents were developed by the city's consultation (Barr Engineering). Construction began in November and winter construction was finished in late January 2023. Activities this spring included completing grading (topsoil adjustments); paving (concrete, bituminous); light pole and fixture install; benches install; site clean up and prep for restoration contractor. In late May, Peterson Companies completed their construction tasks and the project transitioned to Traverse de Sioux for site restoration and planting. A small area of unexpected disturbance from construction was added to the overall area to be restored with native plants through a minor change order. Site restoration, planting, and seeding was completed in late June. An interim grant report was submitted to the MN Board of Water and Soil Resources in late January. www.bassettcreekwmo.org/projects/all-projects/medley-park-stormwater-treatment-facility

2022 SEA School-Wildwood Park Flood Reduction Project (BC-2, 3, 8, 10) (No change since December): The feasibility study for this project is complete after the Commission Engineer's scope of work was approved last August. A project kick-off meeting with city staff was held in late November. Meetings with city staff, Robbinsdale Area School representatives, and technical stakeholders were held in December, along with a public input planning meeting. A virtual open house video and comment form were offered to the public including live chat sessions on April 8th. The feasibility study report was approved in June with a decision to implement Concept #3. A public hearing on this project was held in September with no members of the public attending. In September, a resolution was approved to officially order the project, submit levy amounts to the county, and enter an agreement with the city to design and construct the project. The city hired Barr Engineering to develop the project designs which are now underway. A virtual public open house was held February 3rd. 50% Design Plans were approved at the January meeting. A public open house was held September 29th. 90% were approved at the October Commission meeting. Six construction bids were received in late February with several of them under engineer's estimates. The city contracted with Rachel Contracting and construction got underway earlier this spring. By late June excavation was completed and the playground area was prepped and ready for concrete work to begin on July 5. Bids were open for the SEA School/Wildwood Park restoration project on June 20. Three bids were received and two came in right around our estimate. The city is recommending the low bidder (Landbridge Ecological). At the end of July utility crews lowered the watermain and installed the storm sewer diversions into the park from along Duluth Street. The hydrodynamic separator was also set (with a crane). Crews also worked on the iron-enhanced sand filter and the outlet installation, stone work on the steepened slopes, trail prep, bituminous paving, and concrete work (curb and gutter, pads, and ADA ramps). The preconstruction meeting for the restoration work was held with work to begin late August or early September. The city awarded the contract for the DeCola Pond D outlet work to Bituminous Roadways Inc. in August. The SEA School site construction is complete and restoration work is complete for the season. The DeCola Pond D outlet replacement and site restoration is also now complete.

Project webpage: www.bassettcreekwmo.org/projects/all-projects/sea-school-wildwood-park-flood-reduction-project.

Bassett Creek Restoration Project: Regent Ave. to Golden Valley Rd. (2024 CR-M), Golden Valley (No change since June):

A feasibility study for this project got underway in fall 2022. A public open house was held March 1st with 30 residents attending. The draft feasibility report was presented at the April meeting. A final feasibility report was presented at the June meeting where the Commission approved the implementation of Alternative 3: to restore all high, medium, and low priority sites. A Clean Water Fund grant application for \$350,000 was recently developed and submitted to BWSR. The Commission held a public hearing on this project at its September meeting and officially ordered the project and set the final levy. An agreement with the City of Golden Valley to implement the project was drafted by the Commission Attorney recently reviewed by city staff. Commission staff and city staff continue to work through development of an implementation agreement. Project website: <https://www.bassettcreekwmo.org/projects/all-projects/bassett-creek-restoration-project-regent-ave-golden-valley-r>

Ponderosa Woods Stream Restoration Project, Plymouth (ML-22): A feasibility study for this project got underway in fall 2022. A public open house was held February 13th with 3 residents attending. The draft feasibility report was presented at the May meeting and additional information was presented at the June meeting where the Commission approved implementing Alternative 1.5. The Commission held a public hearing on this project at its September meeting and officially ordered the project, set the final levy, and approved an agreement with the City of Plymouth for project implementation. Plymouth hired Midwest Wetland Improvements to design the project. 60% designs are slated to be presented to the Commission in October. A public open house will be planned during the design process and construction is likely to get underway in late fall/early winter. Project website: <https://www.bassettcreekwmo.org/projects/all-projects/ponderosa-woods-stream-restoration-project>.

Sochacki Park Water Quality Improvement Project (BC-14): This project is proposed to be added to the CIP through a minor plan amendment as approved at the March Commission meeting with CIP funding set at \$600,000. The project involves a suite of projects totaling an estimated \$2.3M aimed improving the water quality in three ponds and Bassett Creek based on a subwatershed analysis by Three Rivers Park District (TRPD). A memorandum of understanding about the implementation process, schedules, and procedural requirements for the project was executed in April among BCWMC, TRPD, and the cities of Golden Valley and Robbinsdale. A feasibility study is underway for the project and is being funded by TRPD. The feasibility study kick off meeting was held June 5th. Information on the project and an update on the feasibility study was presented at the June meeting. A technical stakeholder meeting was held July 10th. A public open house was held July 26th and a Phase I Environmental Site Assessment was recently completed. The draft feasibility study was presented at the August meeting and the final feasibility study was approved at the September meeting. The Commission held a public hearing on this project at its September meeting and officially ordered the project and set the final levy. Project partners recently met to review a scope and budget for design and discuss construction sequencing, funding availability, and cooperative agreement provisions. TRPD was recently awarded \$1.6M in federal funding for this project and other facility investments in Sochacki Park. Staff provided a project update at the March meeting. A cooperative agreement with TRPD and Robbinsdale was approved at the April meeting. Three Rivers Park District contracted with Barr Engineering to develop project designs. A Phase II Environmental Assessment was recently completed. Preliminary results were presented at a recent project partner meeting. Soil contamination (including PCBs) was found in some areas to be above MPCA action levels. TRPD and their consultants (Barr Engineering) are developing response plans and considering applying for Hennepin County Environmental Response funds. The Sochacki Park Joint Powers Operations Committee is meeting soon. Project webpage: <https://www.bassettcreekwmo.org/projects/all-projects/sochacki-park-water-quality-improvement-project>.

Plymouth Creek Restoration Project Dunkirk Lane to 38th Ave. North (2026 CR-P) (See Items 5A and 6A): A scope and budget for a feasibility study was approved at the October meeting. A project kick off meeting was held November 3rd and a technical stakeholder meeting was held December 5th. Field investigations and desktop analyses are complete. Site prioritization ranking criteria are being developed and concept designs are being developed. A public open house was held on March 11th. Residents who attended are in favor of the project and had questions about impacts to trees, potential construction activities in specific reaches, and buckthorn removal. The feasibility study was approved at the May meeting with Option 3a being approved for implementation. At the June meeting the Commission approved a maximum levy for 2025 that includes funding for this project which was approved by the Hennepin County Board August 6th. This Commission meeting will include a public hearing on this project and the Commission will consider a resolution officially ordering the project, setting the 2025 levy, and entering an agreement with the City of Plymouth for design and construction. A Clean Water Fund grant application for \$400,000 was submitted to the BWSR last month. The city will hold a public open house on this project in late September or early October. Project webpage: <https://www.bassettcreekwmo.org/projects/all-projects/plymouth-creek-restoration-dunkirk-lane-38th-ave-n>.

Crane Lake Chloride Reduction Demonstration Project, Minnetonka (CL-4): At the meeting in July, the Commission approved a scope and budget for the feasibility study for this project. The Commission Engineer is gathering background information and project kick off meeting is scheduled for September 26th.

Administrator Activities August 8 – September 9, 2024

Subject	Work Progress
CIP and Technical Projects	<ul style="list-style-type: none"> • <u>Sweeney Lake EWM Eradication Project</u>: Coordinated AIS Prevention grant extension with county • <u>Plymouth Creek Restoration Project</u>: Corresponded with Plymouth staff on agreement for implementation, submitted public notices for public hearing on the project; developed and submitted Clean Water Fund grant application • <u>Future TMDLs</u>: Reviewed MPCA charter for potential TMDL studies and subwatershed analyses for Lost Lake and Northwood Lake • <u>Ponderosa Woods Restoration Project</u>: Corresponded with city staff, their consultants, and Commission Engineers re: timeline for design development and presentation to Commission • <u>Medicine Lake Conditions</u>: Corresponded with various residents, TRPD staff, and Commission Engineers re: conditions on Medicine Lake and potential blue-green algae bloom. • <u>Sochacki Park Water Quality Improvement Project</u>: Attended partner meeting to receive and discuss preliminary results of Phase II Environmental Assessment.

Education and Outreach	<ul style="list-style-type: none"> • Facilitated a meeting of a creek co-naming subcommittee of the Education Committee • Picked up CAMP samples from volunteers and delivered to central location for Met Council pick up • Reviewed/edited materials for Water Ceremony and updated BCWMC education webpage with new land and water acknowledgement statement and preliminary content on Haha Wakpadan • Continued reviewing/commenting on Native content for watershed map • Posted article on best practices for fall yard clean up on BCWMC website
Administration	<ul style="list-style-type: none"> • Developed agenda; reviewed invoices and submitted expenses spreadsheet to Plymouth; reviewed financial report; drafted August meeting minutes; reviewed memos, reports, and documents for Commission meeting; printed and disseminated meeting information to commissioners, staff, and TAC; updated online calendar; drafted meeting follow up email; ordered catering for September Commission meeting • Participated in pre-meeting call with Commission Engineer and Chair Cesnik • Drafted and submitted letter to Clean Water Council re: support for current funding levels of the Clean Water Fund • Set Education Committee meeting • Corresponded with Budget Committee members and publicly noticed meeting • Sent notice to city clerks on proposed bylaws amendment and drafted resolution for Commission Attorney review • Coordinated with Hennepin County and invitees on Bassett Creek Valley neighborhood meeting; worked to secure meeting space and developed draft agenda • Facilitated 3rd convene meeting for Watershed Based Implementation Funding and began worksheet to formally request funds • Reviewed and submitted letter commenting on proposed new wetland assessment tool • Prepared for and gave tour of watershed projects and resources to new BWSR Board Conservationist Jen Dullum • Gathered and reviewed letters from member cities on JPA
MN Watersheds	<ul style="list-style-type: none"> • Submitted abstract on Parkers Lake Chloride Reduction Study for MN Watersheds Annual Conference • Attended MN Association of Watershed Administrator’s Executive Committee meeting (online) • Finalized and submitted meeting minutes for June MAWA meeting
2025 Watershed Management Plan	<ul style="list-style-type: none"> • Met with Commission Engineers for bi-weekly check in meetings • Drafted meeting minutes for August PSC meeting • Prepared materials and introduction presentation for August Commission workshop; attended workshop; reviewed workshop outcomes and drafted potential changes to issues and goals • Updated plan progress tracker • Developed draft Education and Engagement Plan • Reviewed/commented on draft monitoring plan • Developed draft goals for DEIA-related issues • Prepared agenda and materials for September PSC meeting; attended meeting