



## Bassett Creek Watershed Management Commission

### AGENDA MEMO

Date: February 11, 2016

To: BCWMC Commissioners

From: Laura Jester, Administrator

**RE: Background Information for 2/18/16 BCWMC Meeting**

1. **CALL TO ORDER and ROLL CALL**
2. **CITIZEN FORUM ON NON-AGENDA ITEMS**
3. **APPROVAL OF AGENDA – ACTION ITEM**
4. **CONSENT AGENDA**
  - A. Approval of Minutes – January 21, 2016 Commission meeting- ACTION ITEM with attachment
  - B. Approval of FY2015 Year End Financial Report (Feb 1, 2015 – Jan 31, 2016) – ACTION ITEM with attachment
  - C. Approval of February 2016 Financial Report - ACTION ITEM with attachment
  - D. Approval of Payment of Invoices - ACTION ITEM with attachments
    - i. Keystone Waters, LLC – January 2016 Administrator Services
    - ii. Barr Engineering – January 2016 Engineering Services
    - iii. Amy Herbert – January 2016 Secretarial Services
    - iv. ACE Catering – February 2016 Meeting Refreshments
    - v. Kennedy Graven – December 2015 Legal Services
    - vi. Wenck – January 2016 WOMP Monitoring
    - vii. Shingle Creek WMC – 2016 West Metro Water Alliance Partner Share
    - viii. HDR – 2015 Website Redesign Final Invoice
    - ix. MN Pollution Control Agency – VIC application fee, 2017 Main Stem project
    - x. MN Pollution Control Agency – Petroleum Brownfields Program fee, 2017 Main Stem project
    - xi. Kennedy Graven – January 2016 Legal Services
  - E. Resolution 16-03 Designating Depositories for Bassett Creek Watershed Management Commission Funds – ACTION ITEM with attachment – *The Commission annually designates official depositories for its funds. Staff (including the Deputy Treasurer) recommends approval of the attached resolution.*
  - F. Approval to Designate *Finance and Commerce* as the Official News Publication of the Bassett Creek Watershed Management Commission – ACTION ITEM no attachment – *The Commission should designate a news publication for its official notices. In the past, “Finance and Commerce” has been used by the Commission; staff recommends making this an official designation. This does not preclude the Commission’s use of additional news publications during the course of the year.*
  - G. Approval of Request for Reimbursement from City of New Hope for Northwood Lake Water Quality Improvement Project (NL-1) – ACTION ITEM with attachment – *At their meeting in August 2015, the Commission entered an agreement with the City of New Hope to design and construct the Northwood Lake Water Quality Improvement Project. The city is requesting reimbursement for the work completed August – November 2015. Staff recommends approval of the reimbursement request.*
  - H. Approval of Agreement with Metropolitan Council for 2016- 2017 Watershed Outlet Monitoring Program (WOMP) – ACTION ITEM with attachment – *The Met Council cooperates with local entities to operate their WOMP stations throughout the metro area. The Commission has been operating the Bassett Creek WOMP for several years and uses sub-contractors (Wenck and Barr) for sample collection, station maintenance, flow monitoring and data analysis. Through the agreement, the Met Council provides \$5,000 per year to help offset these costs and also provides funding for lab analysis, equipment, and training. The WOMP provides valuable water quality and quantity data to the Commission. Staff recommends approval of the agreement.*

- I. Approval of 2016 Northwood Lake Improvements, New Hope – **ACTION ITEM with attachment** – *The proposed project is for reconstruction of a portion of Jordan Avenue North, plus playground and infrastructure improvements in Northwood Park. The project will decrease impervious surface by 0.02 acres. Although the project involves work in the floodplain, there is no net impact to the floodplain and the size of the project does not trigger the Commission water quality requirements. Staff recommends conditional approval based on the Commission Engineer’s attached comments.*
- J. Approval of Agreement with Hennepin County for 2016 River Watch Program – **ACTION ITEM with attachment** – *Each year, the Commission cooperates with Hennepin County on the River Watch Program which is a volunteer monitoring program that assists teachers with getting students into creeks to monitor water quality and macroinvertebrates (bugs and other critters). Through the agreement, County staff and their contractors train teachers, provide equipment, coordinate creek visits, and assist with classes in the field. The Commission provides \$2,000 per year to be a partner in the program. Last year three schools collected data on Bassett Creek. The 2015 River Watch Report is found in Item 8G below. Staff recommends approval of the agreement.*

## 5. ORGANIZATIONAL MEETING

- A. Appoint Officers – **ACTION ITEM no attachment** - *The Commission should appoint (or reappoint) a Chair, Vice Chair, Secretary and Treasurer. Officers hold one year terms. The Secretary and Treasurer can be combined into one position. Current officers = Chair de Lambert, Vice Chair Mueller, Secretary Millner, Treasurer Hoschka. More information on the duties of the officers can be found in the bylaws here: <http://www.bassettcreekwmo.org/About%20the%20watershed/BCWMC-Bylaws-Revised-Adopted20Sept2012.pdf>*
- B. Review 2016 Commission Calendar and Areas of Work – **INFORMATION ITEM with attachment** – *February 1<sup>st</sup> marks the beginning of the Commission’s business and fiscal year. The attached document is an informational piece that shows items the Commission considers annually and/or will consider over the next 12 months. The document also lists the various Commission committees, the approximate timing of committee meetings, and work areas for the committees this year.*
- C. Appoint Committee Members – **ACTION ITEM no attachment** - *Committees are an important part of the Commission. Commissioners and alternate Commissioners should consider participating on at least one committee. Non-Commissioners can also sit on Commission committees. See the document in 5B above for a description of committees and their work slated for this year.*
- i. Administrative Services Committee
  - ii. Budget Committee
  - iii. Education Committee
  - iv. Aquatic Plant Management/Aquatic Invasive Species Committee
- D. Review Year End Financial Status (Fiscal Year 2015) – **INFORMATION ITEM no attachment (see 4B above)** - *The annual organizational meeting is a good time to review the ending financial standing of the Commission’s prior fiscal year (see materials for 4B above). Although some items were over budget, others were under budget and the Commission ended the year with a budget surplus of just over \$5,000. Additionally, approximately \$18,000 of expenses in the “non-fee/preliminary reviews” line will be reimbursed to the Commission from other agencies.*
- E. Review Open Meeting Law – **INFORMATION ITEM with attachment** – *The attached document is included simply to remind Commissioners about key provisions of the open meeting law, ways in which the law can be easily broken, and links to further information.*

## 6. BUSINESS

- A. Review Draft Feasibility Study for Plymouth Creek Restoration Project (2017CR-P) – DISCUSSION ITEM with attachment (appendices available online) – *At their meeting in August 2015, the Commission approved a proposal from the Commission Engineer to develop the Plymouth Creek Restoration Project feasibility study. The draft study was prepared in accordance with the Commission’s required criteria and was reviewed by City of Plymouth staff and the MDNR (and their comments were incorporated into the document). The draft study recommends restoration techniques (and shows estimated costs and pollutant removals for each technique) for 21 individual sites within three distinct reaches of the project area. The Commission should review and discuss the study and either take action approving the study’s recommendations, decide on different alternatives at individual sites, or request revisions/additions to the study for final approval at a future meeting. The final feasibility study should be approved no later than the Commission’s May 2016 meeting in order to meet the County’s timeline for 2017 levy requests.*
- B. Consider Approval of Northwood South Area Infrastructure Improvements, New Hope – ACTION ITEM with attachments – *The City of New Hope is proposing a project that includes street reconstruction and water, sanitary sewer, and storm sewer improvements in the Northwood South neighborhood. The area currently contributes untreated stormwater to Northwood Lake. The city proposes to construct underground filtration trenches with iron enhanced media to provide water quality treatment for the project. However, the BCWMC water quality standards (MIDS) can only be met if the city uses credit for pollutant removal in the Jordan Avenue pond (part of the Northwood Lake CIP Project). Similar to the action taken at the December meeting that gave Golden Valley pro-rated pollutant removal credit for the Douglas Drive project, New Hope is requesting up to 21.1% of the pollutant removal capacity of the Jordan Ave. pond to match the funding amount they are contributing to the Northwood Lake CIP project. Staff recommends approval of the project plans with engineer’s comments in the attached memo and approval of the city’s request for Jordan Ave pond pollutant removal credit. A letter from New Hope further discussing current and future difficulty in meeting MIDS for linear projects is also attached.*
- i. Commission Engineer Project Review Memo and Project Map - attachment
  - ii. Letter from City of New Hope Regarding Treatment Options for Linear Projects - attachment
- C. Items Related to Northwood Lake Water Quality Improvement Project (NL-1)
- i. Consider Approval of Clean Water Fund Grant Agreement for Northwood Lake Water Quality Improvement Project – ACTION ITEM with attachment – *In December the Commission was awarded a \$400,000 Clean Water Fund grant from the Minnesota Board of Water and Soil Resources (BWSR) for the Northwood Lake Water Quality Improvement Project. Staff recommends approval of the attached grant agreement.*
  - ii. Direct Staff to Develop Subgrant Agreement with City of New Hope to Implement Clean Water Fund Grant – ACTION ITEM no attachment – *A work plan for the Clean Water Fund grant is currently being developed. Once the grant agreement with the BWSR is in place and the work plan is finalized, the Commission should enter a subgrant agreement with the City of New Hope (similar to the subgrant agreement for the earlier Clean Water Partnership grant). Staff (including legal counsel) is seeking direction to develop the subgrant agreement and authorization for the Commission Chair to execute the agreement once it’s prepared.*
  - iii. Consider Amendment to Agreement with City of New Hope for Design and Construction of Project – ACTION ITEM with attachment – *At their meeting in August 2015, the Commission approved an agreement with the City of New Hope to design and construct the Northwood Lake Water Quality Improvement Project. That agreement states the Commission will reimburse the city up to \$1,122,140 for the project, less Commission costs. The city recently received bids for the project that are higher than expected with a construction bid \$274,000 higher than previously budgeted. Further, the August agreement states that any future grants would offset both city and Commission contributions in the same proportion as the original contributions. Originally the city agreed to contribute \$300,000 or 21.1% of the total project costs. Therefore, the city costs*

*should be reduced by \$84,400 or 21.1% of the recent \$400,000 Clean Water Fund (CWF) grant. Staff recommends approval of an amendment to the original agreement to 1) increase the total reimbursement to the city to \$1,396,140 (less Commission costs) due to higher construction bids; and 2) officially reduce the city's contribution to the project due to the CWF grant.*

- D. Consider Approval of Resolution Delegating Wetland Conservation Act Decisions - ACTION ITEM with attachment – *At their meeting last month, the Commission reviewed options for Wetland Conservation Act (WCA) decisions for cities where the BCWMC has WCA authority (Robbinsdale, St. Louis Park, Medicine Lake). At the meeting there was consensus that Commission staff should be delegated authority to make some of the more technical decisions while the Commission itself would retain decision authority for other WCA decisions. Attached is the delegation resolution to formalize this decision.*
- E. Receive Update on 2017 Main Stem Erosion Repair Project (2017CR-M) – INFORMATION ITEM no attachment – *The feasibility study for this project continues to be developed. Three of the four Right of Entry agreements needed to access properties and take soil samples to complete the Phase II environmental assessment have been signed (and the 4<sup>th</sup> and last agreement is expected any day). I will give a presentation about the project to the Bassett Creek Valley Redevelopment Oversight Committee on February 16<sup>th</sup>.*

## 7. COMMUNICATIONS

- A. Administrator's Report – **INFORMATION ITEM with attachment**
- B. Chair
- C. Commissioners
- a. Report on Road Salt Symposium – **INFORMATION ITEM no attachment**
- D. TAC Members
- a. Report on February 5<sup>th</sup> TAC Meeting – **INFORMATION ITEM no attachment**
- E. Committees
- F. Legal Counsel
- G. Engineer

## 8. INFORMATION ONLY (Information online only)

- A. CIP Project Update Chart
- B. Grant Tracking Summary and Spreadsheet
- C. Clean Water Partnership Grant – Interim Grant Report
- D. Hennepin County All-Hazard Mitigation Plan – BCWMC Input
- E. WMWA December 2015 Minutes
- F. 2014 Report on Citizen Assisted Monitoring Program (available on [Met Council website](#))
- G. 2015 River Watch Report
- H. Wetland Conservation Act Notice of Application – Plymouth City Flats, Plymouth

## 9. ADJOURNMENT

### Upcoming Meetings & Events

- Mississippi River Forum: Representing the Mississippi River at International Climate Talks; Mayor Chris Coleman: Friday Feb 26<sup>th</sup>, 8:00 – 9:30 a.m.; 179 Robie Street E, St. Paul; <http://www.nps.gov/miss/learn/nature/riverforum.htm>
- BCWMC Technical Advisory Committee: Thurs March 3<sup>rd</sup>, 1:30 – 3:30 p.m., Medicine Lke Room, Plymouth City Hall
- BCWMC Regular Meeting: Thursday March 17<sup>th</sup>, 8:30 a.m., Medicine Lake Room, Plymouth City Hall