



Item 4A.
BCWMC 12-20-18

Bassett Creek Watershed Management Commission

**DRAFT Minutes of Regular Meeting
Wednesday, November 14, 2018
8:30 a.m.**

Golden Valley City Hall, Golden Valley MN

1. CALL TO ORDER and ROLL CALL

On Wednesday, November 14, 2018 at 8:32 a.m. in the Council Conference Room at Golden Valley City Hall (7800 Golden Valley Rd.), Chair de Lambert called the meeting of the Bassett Creek Watershed Management Commission (BCWMC) to order.

Commissioners and city staff present:

City	Commissioner	Alternate Commissioner	Technical Advisory Committee Members (City Staff)
Crystal	Dave Anderson	Vacant Position	Mark Ray
Golden Valley	Absent	Jane McDonald Black	Eric Eckman
Medicine Lake	Absent	Gary Holter	Absent
Minneapolis	Michael Welch	Vacant Position	Absent
Minnetonka	Absent	Mike Fruen*	Chris LaBounty
New Hope	Absent	Pat Crough	Megan Hedstrom
Plymouth	Absent	John Byrnes	Ben Scharenbroich
Robbinsdale	Absent	Absent	Richard McCoy and Marta Roser
St. Louis Park	Jim de Lambert	Absent	Absent
Administrator	Laura Jester, Keystone Waters		
Engineer	Karen Chandler, Barr Engineering		
Recorder	Dawn Pape, Lawn Chair Gardener Creative Services		
Legal Counsel	Troy Gilchrist, Kennedy & Graven		
Presenters/ Guests/Public			

*Arrived after Item 4.

2. CITIZEN FORUM ON NON-AGENDA ITEMS

None.

3. APPROVAL OF AGENDA

MOTION: Alternate Commissioner McDonald Black moved to approve the agenda. Commissioner Welch seconded the motion. Upon a vote, the motion carried 7-0. [Cities of Minnetonka and Robbinsdale absent from the vote].

4. CONSENT AGENDA

Administrator Jester noted that Item 4D should be deleted from the consent agenda as Commissioner Scanlan is no longer able to attend MAWD. The following items were approved as part of the consent agenda: October 18, 2018 Commission meeting minutes, acceptance of the November 2018 financial report, payment of invoices, approval of Hennepin County GIS user agreement.

The general and construction account balances reported in the November 2018 Financial Report are as follows:

Checking Account Balance	\$ 510,686.36
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TOTAL GENERAL FUND BALANCE	\$ 510,686.36
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TOTAL CASH & INVESTMENTS ON-HAND (11/6/18)	\$ 3,211,624.87
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CIP Projects Levied – Budget Remaining	(\$4,028,639.21)
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Closed Projects Remaining Balance	(\$ 817,014.34)
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2012-2016 Anticipated Tax Levy Revenue	\$ 4,537.93
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2017 Anticipated Tax Levy Revenue	\$ 3,895.88
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Anticipated Closed Project Balance	(\$808,580.53)
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MOTION: Alternate Commissioner McDonald Black moved to approve the consent agenda as amended. Alternate Commissioner Byrnes seconded the motion. Upon a vote, the motion carried 7-0. [Cities of Minnetonka and Robbinsdale absent from the vote.]

[Alt. Commissioner Fruen arrives.]

5. BUSINESS

A. Administrative Services Committee Report

- i. Review Results of Performance Reviews
 Chair de Lambert reported that few comments regarding the performance of staff were received from the Commissioners or TAC members. He noted that in short, staff are doing a fine job. He also noted a couple of suggestions regarding streamlining meetings and getting materials out for review earlier. There was a brief open discussion. Chair de Lambert listed the comments from the Administrative Services Committee Meeting for Administrator Jester. It was noted that the minutes are perhaps too detailed, but helpful at the same time. Regarding the question of future trends or Commission goals, there were some concerns about managing CIP funding requests in the future. Administrator Jester will talk to the county staff about this.

Commissioner de Lambert added that a recommendation for Barr Engineering is to get ahead of the appropriate scope and budget for studies.

- ii. Consider Recommendations for Soliciting Technical and Legal Services
 Administrator Jester noted that the Commission must solicit proposals for technical and legal services once every two years according to State law and that the Commission last solicited proposals in December 2016. Chair de Lambert noted that the Administrative Services Committee recommends soliciting only “letters of interest proposals” rather than full blown proposals as the Commission isn’t likely to replace Barr Engineering or Kennedy Graven.

MOTION: Alt. Commissioner Crough moved to approve the Administrative Services Committee recommendation to solicit letters of interest proposals for engineering and legal services. Alt. Commissioner Fruen seconded the motion.

Before the motion was voted upon, Commissioner Welch stated that he would like to do some research on the solicitation item and bring more information to the December meeting. He stated that the Commission deals with a unique situation between city versus Commission activity.

MOTION: Commissioner Welch moved to table the prior motion. Alternate Commissioner McDonald Black seconded the motion. Upon a vote, the motion carried 8-0. [City of Robbinsdale absent from the vote.]

Regarding staff performance, Commissioner Welch noted that determining the CIP budget isn't the Administrator's job. It was noted that Administrator Jester does a good job and Commission Engineer Chandler and Administrator Jester work well together.

Commissioner Welch brought up that there are new Hennepin County commissioners that may need education/information about BCWMC and its responsibilities.

Administrator Jester responded by bringing the Commission's attention to some additions she has added to the website that will also be included in materials for the 50th anniversary.

B. Review Report on Lake Leaders Workshop and Determine Next Steps

Administrator Jester reviewed workshop report prepared by Freshwater Society. She noted that on October 3, 2018, leaders from five lake groups in the watershed gathered for a workshop to review and discuss options available to further organize. The workshop was commissioned by BCWMC in response to a recommendation by the APM/AIS Committee. Representatives from Lost Lake, Medicine Lake, Northwood Lake, Parkers Lake, and Sweeney Lake attended. Administrator Jester reported that three different speakers gave presentations on various types of lake organizations and then each lake group participated in small group discussions to further explore the idea of more formally organizing.

The report notes that the Commission could look at offering specific opportunities to help groups advance goals they have in common and that it would be useful to clarify the role of the BCWMC and how it fits with various types of lake organizations. The report notes that the lake groups agreed that expanding outreach and education and building environmental awareness and ethic – especially beyond the lakeshore – were important functions. In addition to increasing the volunteer base, several groups also commented on the benefit of increased funding, cost sharing, partnering on grants, and other opportunities that might be available to reach common goals. Engineer Chandler noted that it might be useful to engage groups in early detection of AIS.

Administrator Jester recommended that the Commission facilitate two or three lake group meetings or workshops per year to keep the momentum going. It was noted that it would be beneficial to have similar messaging, learning, and workshops available for lake leaders across all of the west metro watersheds. Administrator Jester reported she would talk with West Metro Water Alliance group about that idea.

C. Review Draft Letter to Minnesota Association of Watershed Districts (MAWD)

Administrator Jester reported that at the last Commission meeting, she was directed to write a letter to MAWD advocating for full membership by watershed management organizations, including the ability to vote. She noted that in talking with MAWD, she found out that there is already a resolution to allow WMOs full voting membership for consideration by the MAWD Board at their meeting at the end of the month. One change to the letter was suggested. Administrator Jester agreed to make the change and get the Chair's signature.

D. Consider Approval of Resolution Approving New Hope Local Surface Water Management Plan

In speaking broadly about all three local plans being considered at this meeting, Commission Engineer Chandler reported that all three cities made the recommended changes and she is satisfied with the results. It was noted that the resolutions for 5D, 5E and 5F have the caveat that the Commission is approving local

plans as presented but that there may be slight changes to the plans once comments from other watersheds have been addressed.

Commissioner Welch asked if the engineers had concerns about the cities' plan for official controls in place. Commission Engineer Chandler responded that since each plan includes implementation items to update ordinances, this wasn't a concern.

TAC member Megan Hedstrom added that once a plan is completely updated, ordinance updates will follow. Mr. Scharenbroich agreed and commented that was the same in Plymouth. He noted the new city council will address ordinances in January.

Commissioner Welch noted that although this issue cannot be resolved here, local plans must outline how they will enforce Commission requirements, but that the Commission cannot bind cities to pass appropriate ordinances. He noted that according to the Commission's joint powers agreement, it cannot implement ordinances on the city's behalf. He commented that this issue needs to be fixed in the language of the joint powers agreement.

MOTION: Alt. Commissioner Crough moved to approve Resolution 18-07, New Hope Local Surface Water Management Plan as presented with the caveat that there may be slight alterations. Commissioner Welch seconded the motion. Upon a vote, the motion carried 8-0. [City of Robbinsdale absent from the vote.]

E. Consider Approval of Resolution Approving Plymouth Surface Water Resources Management Plan

MOTION: Alt. Commissioner Byrnes moved to approve Resolution 18-08, Plymouth Surface Water Resources Management Plan. Commissioner Welch seconded the motion. Upon a vote, the motion carried 8-0. [City of Robbinsdale absent from the vote.]

F. Consider Approval of Resolution Approving Minneapolis Water Resources Management Plan

Commission Engineer Chandler noted that the stormwater code will be updated within 180 days of approval.

MOTION: Commissioner Welch moved to approve Resolution 18-09, Minneapolis Water Resources Management Plan. Alt. Commissioner Byrnes seconded the motion. Upon a vote, the motion carried 8-0. [City of Robbinsdale absent from the vote.]

6. COMMUNICATIONS

A. Administrator's Report

Administrator Jester reported on the following:

- i. She was appointed to represent watershed management organizations in a group working on the BWSR Watershed-Based Funding issues. She noted the group is scheduled to meet in December.
- ii. Developing Scope for Further Study in Bassett Creek Valley
Staff is working with the City of Minneapolis and other stakeholders to develop scope for the study of floodplain management with redevelopment along the creek corridor in Minneapolis. Administrator Jester noted that direction was given at a prior meeting to allow staff to work on this issue up to \$2,000 and this figure has not been reached. TAC member Liz Stout is also working with the project. Commission Engineer Chandler reported that it's a great idea to have a comprehensive study and plan because a piecemeal approach would likely result in running out of stormwater storage before final parcels would be developed.

B. Education Consultant

- i. Chloride Education Efforts. Dawn Pape is working with area watershed districts, the City of Minnetonka and Growing Green Hearts to reach nonprofits and faith-based institutions (that typically have large parking lots) with salt education. Ms. Pape noted there is a workshop this afternoon at Oak Knoll Church and another scheduled for January. Despite the extensive outreach efforts of the partners (Nine Mile Creek

Watershed District, Minnehaha Creek Watershed District, Riley Purgatory Bluff Creek Watershed District, Bassett Creek Watershed Management Commission, the City of Minnetonka and Growing Green Hearts), there were only nine registrations for this workshop. However, it was noted that one institution’s changed practices has the potential to reach thousands of members.

Commissioners Fruen and Welch suggested that going to the institutions where people gather might be a better outreach method. Ms. Pape agreed that this was a method she has used before and proved to be successful, but also a big time commitment. Ms. Pape’s contract with BCWMC for salt education would need to be amended to include these types of outreach efforts.

Alt. Commissioner McDonald Black suggested partnering with the Humane Society because they are also concerned about salt on animals’ paws. Information could be distributed to the volunteers who walk the dogs. Mr. Scharenbroich mentioned that Hennepin County Chloride Consortium is working on this salt issue too.

C. Chair

Nothing to report.

D. Commissioners

Commissioner Welch plans to meet with his new county commissioner to inform them about BCWMC’s role. Jester added the materials being created for the 50th anniversary will be helpful tools. He also noted he and Administrator Jester will be meeting with Metro Blooms to debrief on the pollinators event and to understand possible engagement opportunities.

E. TAC Members

- i. Chris LaBounty, from the City of Minnetonka, updated the commission on the Ridgedale Drive/Crane Lake CIP Project noting that the preferred options can be constructed outside of Ridgedale Drive reconstruction, so project timing should move back to a normal CIP process schedule. He also noted that Met Council now has a group working on the question of chlorides in wastewater.

F. Committees

- i. CIP Prioritization Committee met on November 5th. The next meeting is on December 5th

G. Legal Counsel

Attorney Gilchrist wrote a letter to BWSR about the 150% penalty issue in the Clean Water Fund grant agreement. It was noted the same issue was raised by other WMOs and BWSR agreed to take language out of future agreements.

H. Engineer

- i. Commission Engineer Chandler gave an update on the FEMA modeling study, noting that some survey data was received from the DNR, but they didn’t get all of the needed data. It’s not presently clear, but Barr may need to do some additional surveying which would mean a contract change order. However, the project is still on schedule.

7. INFORMATION ONLY (Information online only)

- A. Administrative Calendar
- B. CIP Project Updates <http://www.bassettcreekwmo.org/projects>
- C. Grant Tracking Summary and Spreadsheet
- D. Sun Sailor Article: Westwood Lake Improvement Project
- E. WCA Notices of Application (5), Plymouth
- F. WCA Notice of Application, Golden Valley

8. ADJOURNMENT

The meeting adjourned at 9:56 a.m.

Signature/Title Date

Signature/Title Date