



Bassett Creek Watershed Management Commission

AGENDA MEMO

Date: February 13, 2019

To: BCWMC Commissioners

From: Laura Jester, Administrator

RE: **Background Information for 2/21/19 BCWMC Meeting**

1. **CALL TO ORDER and ROLL CALL**
2. **CITIZEN FORUM ON NON-AGENDA ITEMS**
3. **APPROVAL OF AGENDA – ACTION ITEM with attachment**
4. **CONSENT AGENDA**
 - A. Approval of Minutes – January 17, 2019 Commission Meeting- **ACTION ITEM with attachment**
 - B. Acceptance of Financial Reports - **ACTION ITEM with attachment**
 - i. January 2019 Financial Report (Year End)
 - ii. February 2019 Financial Report
 - C. Approval of Payment of Invoices - **ACTION ITEM with attachments (online) – I reviewed the following invoices and recommend approval of payment.**
 - i. Keystone Waters, LLC – January 2019 Administrative Services
 - ii. Keystone Waters, LLC – January 2019 Printing Expenses
 - iii. Barr Engineering – January 2019 Engineering Services
 - iv. Triple D Espresso – February 2019 Meeting Refreshments
 - v. Wenck – January 2019 WOMP Monitoring
 - vi. Lawn Chair Gardener – January 2019 Administrative and Education Services
 - vii. Kennedy Graven – December 2018 & January 2019 Legal Services
 - viii. Metro Blooms – Harrison Neighborhood Project Clean Water Fund Grant Reimbursement
 - ix. HDR – Website Hosting and Assistance
 - x. State Register – Publication of Consultant Proposal Solicitation
 - xi. Minnesota Assoc. of Watershed Districts – 2019 Member Dues
 - xii. Shingle Creek WMO – West Metro Water Alliance 2019 Contribution
 - D. Approval of Resolution 19-03 Designating Depositories for BCWMC 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.
 - E. Approval to Designate Finance and Commerce as the Official News Publication of the BCWMC – **ACTION ITEM no attachment**
– Staff recommends continuing to designate Finance and Commerce as the only BCWMC official publication as it covers the entire watershed, and to continue the practice of sending notices to local news outlets (such as the Sun Post) and neighborhood newsletters when appropriate.
 - F. Approval of Agreement with Three Rivers Park District for Curly-leaf Pondweed Control and Financial Contribution for Inspections at Medicine Lake – **ACTION ITEM with attachment**
– Continuing the practice from the last two years, staff recommends approving a contract with TRPD for the cost share of curly-leaf pondweed control. This agreement also includes a contribution of \$5,000 from BCWMC to TRPD to help augment boat inspections at the launch on Medicine Lake. This is the same level of funding provided by the BCWMC last year from the AIS/APM Budget line.
 - G. Approval of County State Aid Highway (CSAH) 9 (Rockford Road) and I-494 Interchange Project – **ACTION ITEM with attachment**
– The proposed linear project is located in the Medicine Lake North and Plymouth Creek subwatersheds in Plymouth, MN. While the entirety of the proposed project is located within the

BCWMC, a portion of the project area drains into the Shingle Creek Watershed Management Commission. The project includes reconstruction of the Rockford Road and I-494 interchange resulting in 19.172 acres of disturbance and 1.756 acres of net new impervious surfaces. Staff recommends conditional approval with multiple comments in the attached memo.

- H. Approval to Reimburse Commissioner Fruen for MAWD Conference – **ACTION ITEM no attachment** – Last December Commissioner Fruen attended the MAWD Conference in Alexandria and is requesting reimbursement for registration costs. Reimbursement is consistent with the Commission’s policy on and funding for Commissioner training. Staff recommends approval.

5. ORGANIZATIONAL MEETING (30 minutes)

- A. Elect Officers – **ACTION ITEM no attachment** - The Commission should elect 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 Prom, Secretary Scanlan and Treasurer Harwell. More information on the duties of the officers can be found in the bylaws here: <http://www.bassettcreekwmo.org/application/files/1314/4424/7360/BCWMC-Bylaws.pdf>.
- B. Review 2019 Commission Calendar and Areas of Work - **INFORMATION ITEM with attachment** February 1st 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 (see 5B)** - 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 for a description of committees and their work slated for this year. Current committee members are listed here: <http://www.bassettcreekwmo.org/about/our-members>.
- i. Administrative Services Committee
 - ii. Budget Committee
 - iii. Education Committee
 - iv. Technical Advisory Committee Liaison
- D. 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.
- E. Review Year End Financial Report (Feb 1, 2018 - Jan 31, 2019) – **INFORMATION ITEM no attachment (see 4Bi)** - Overall, the Commission is in good financial standing and ended the year approximately \$41,000 in the black. I will walk through the year end report at the meeting.

6. BUSINESS

- A. Review 50% Design Plans for DeCola Ponds B & C Improvement Project (30 minutes) – **ACTION ITEM with attachment, full document online** – At the May 2018 meeting, the Commission approved the final feasibility study for this project and at the August 2018 meeting, the Commission ordered the project and approved an agreement with the City of Golden Valley to implement the project. The city hired Barr Engineering to complete the project design. At this meeting, Barr and city staff will present the 50% design plans.
- B. Consider Providing Additional Funds for Winnetka Pond Dredging Project (20 minutes) – **ACTION ITEM with attachment** – During the construction of this project, unexpected contamination was found in

Winnetka Pond that will require expensive disposal. This expense was not included in the construction budget. The City of Crystal is requesting additional funds for this project so that it can be built as originally designed. Although the Commission's current "Closed Project Account" shows a negative balance, once the 2015 Bassett Creek Main Stem Restoration Project is closed out in the next 60 days, there will be a healthy balance in the closed project account. Staff recommends approval of the request. Details on the contamination and resulting expenses are included in the attached memo and maps.

- C. Consider Agreements with Wenck and City of Minneapolis for Bassett Creek Valley Study (10 minutes) – **ACTION ITEM with attachments** – *The City of Minneapolis, the Commission, the MPRB, and other partners have been discussing the complicated nature of the Bassett Creek Valley and the likely redevelopment for the area. The city wishes to have Wenck Associates, Inc. perform a Floodplain and Stormwater Management Study for the Bassett Creek Valley Development area to evaluate options to unlock the potential in natural resources, recreation, and redevelopment by integrating floodplain and stormwater management into a regional solution for the area. The city wishes for the BCWMC to hire Wenck to complete this study and has agreed to reimburse the BCWMC for the total cost of the study along with other Commission expenses related to the study (less \$2,000). The contract with Wenck and agreement with the city were reviewed by Commission legal counsel; and the study proposal was reviewed by Commission Engineers. Staff recommends approving the contract with Wenck and directing the execution of the agreement with the city once it's in final form (after city legal review).*
- i. Contract with Wenck Associates
 - ii. Bassett Creek Valley Study Proposal
 - iii. Agreement with City of Minneapolis
- D. Consider Applying for 319 Grant for Sweeney Lake Alum Treatment & Carp Management (15 minutes) – **ACTION ITEM with attachment** – *Staff recommends that the Commission take the rare opportunity to apply for 319 grant funds for up to \$700,000 for an alum treatment in Sweeney Lake and carp management in Schaper Pond. Please see the attached memo for further information.*
- E. Consider Recommendations from CIP Prioritization Committee and Technical Advisory Committee (30 min) – **ACTION ITEM with attachment** – *Starting last April, the CIP Prioritization Committee met 6 times to determine if and how capital projects in the watershed can be further prioritized for targeted implementation. They recommended the use of a scoring matrix to help rank potential CIP projects against each other when developing the 5-year CIP. The TAC discussed and considered the committee's recommendations and added a few recommendations of their own. Please see the attached information for more detail.*
- F. Consider Resolution 19-04 to Approve Robbinsdale Local Surface Water Management Plan (5 minutes) – **ACTION ITEM with attachment, plan available online** – *The Commission Engineer reviewed the Robbinsdale Local Surface Water Management Plan and provided comments to the city on December 21st. The city revised the plan according to the Commission's comments and the plan is consistent with the Bassett Creek Watershed Management Plan and requirements. Staff recommends approval of the attached resolution approving the Robbinsdale Local Surface Water Management Plan.*
- G. Consider Resolution 19-05 to Approve Medicine Lake Local Water Management Plan 2018 Update (5 min) – **ACTION ITEM with attachment, plan and response to comments available online** – *The Commission Engineer reviewed the Medicine Lake Local Water Management Plan 2018 Update and provided comments to the city on December 21st. The city revised the plan according to the Commission's comments and the plan is consistent with the Bassett Creek Watershed Management Plan and requirements. Staff recommends approval of the attached resolution approving the Medicine Lake Local Water Management Plan 2018 Update.*

- H. Identify Date and Format for 50th Anniversary Event (10 minutes) – **ACTION ITEM with attachment** – *At their meetings last year, the Education Committee developed various ideas for commemorating the Commission’s 50th Anniversary this year. One favorite idea was to hold an event including a light meal, presentation, display of historical documents, and optional watershed tour for elected and appointed officials. Staff recommends determining a date and format for this event so that planning can begin. Please see the attached memo for further information.*
- I. Review Letters of Interest Proposals from Legal and Engineering Firms (5 minutes) – **ACTION ITEM no attachments** – *In January, the Commission submitted a solicitation for proposals for legal and technical engineering services to comply with State Law. The Commission received one proposal (from Kennedy Graven) for legal services and three proposals for engineering services from Barr Engineering, RESPEC, and ProSource. The proposals themselves are not public documents and cannot be included with meeting materials. I will send them to Commissioners separately. I recommend the Commission continue to use Kennedy & Graven and Barr Engineering as their legal and engineering consultants, respectively.*
- J. Consider Approval of Resolution 19-06 Consenting to Representation from Kennedy & Graven and Acknowledging Potential Conflicts (5 minutes) - **ACTION ITEM with attachment** – *At their meeting in December the Commission discussed the likely need for a resolution acknowledging there to be potential conflicts of interest regarding legal representation and consenting to continued representation by Kennedy & Graven. Please see the attached resolution.*
- K. Consider Approval of Resolution 19-07 of Support for Chloride Limited Liability Legislation (5 minutes) – **ACTION ITEM with attachment** – *While attending the Road Salt Symposium last week, I became aware (from the [Stop Over Salting](#) group) that a few local governments and organizations have passed resolutions supporting the chloride limited liability legislation. Given that this is such an important topic in the watershed, I thought the attached resolution would be appropriate for the Commission to consider. Last year the Commission submitted [letters to bill authors](#) supporting the legislation.*

7. COMMUNICATIONS (10 minutes)

- A. Administrator’s Report – **INFORMATION ITEM with attachment**
 - i. Reminder to Complete Conflict of Interest Forms
 - ii. Report on Road Salt Symposium
- B. Chair
- C. Commissioners
- D. TAC Members
 - i. Next Meeting March 8th
- E. Committees
- F. Legal Counsel
- G. Engineer

8. INFORMATION ONLY (Information online only)

- A. CIP Project Updates <http://www.bassettcreekwmo.org/projects>
- B. Grant Tracking Summary and Spreadsheet
- C. [Local News Story on Winnetka Pond Dredging](#)
- D. WCA Notice of Decision, Plymouth

9. ADJOURNMENT

Upcoming Meetings & Events

- Jevne Park Stormwater Improvement Project Public Open House: Thursday Feb 28th, 5:30 – 7:30 p.m., Medicine Lk City Hall
- BCWMC Technical Advisory Committee Meeting: Friday March 8th, 10:30 – 12:30 p.m., Golden Valley City Hall
- Bassett Creek Watershed Management Commission Meeting: Thursday March 21st, 8:30 a.m., Golden Valley City Hall