



Bassett Creek Watershed Management Commission

AGENDA MEMO

Date: April 9, 2020

To: BCWMC Commissioners

From: Laura Jester, Administrator

RE: Background Information for 4/16/20 BCWMC Meeting

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 – March 16, 2020 Commission Meeting- **ACTION ITEM with attachment**
 - B. Acceptance of April Financial Report - **ACTION ITEM with attachment**
 - 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 – March 2020 Administrative Services
 - ii. Keystone Waters, LLC – March 2020 Printing Expenses
 - iii. Barr Engineering – March 2020 Engineering Services
 - iv. Wenck – March 2020 WOMP Monitoring
 - v. Lawn Chair Gardener – March 2020 Administrative and Education Services
 - vi. Kennedy & Graven – February 2020 Legal Services
 - vii. MMKR – 2019 Financial Audit
 - viii. Hamline University - Metro Watershed Partnership Contribution

 - D. Approval of Reimbursement Request from St. Louis Park for Westwood Lake Improvement Project (WST2) – **ACTION ITEM with attachment (full document online)** – *Design is complete and construction is nearing completion on the educational sign and stormwater features at the Westwood Hills Nature Center. The city requests reimbursement for work completed to date. I reviewed the materials and recommend approval of the reimbursement. Currently, a grand opening celebration of the nature center is scheduled for June 8th.*

 - E. Approval of Agreement with Three Rivers Park District for Medicine Lake Activities – **ACTION ITEM with attachment** – *Since 2017, the BCWMC has facilitated curly-leaf pondweed control on Medicine Lake with cost sharing of 17% from TRPD. The BCWMC has also contributed funds to TRPD for expanded boat inspections at the launch. This agreement includes both activities. It was reviewed by the BCWMC Legal Counsel and is the same agreement used in years past. Staff recommends approval.*

 - F. Approval of Grant Agreement for Bryn Mawr Water Quality Improvement Project Clean Water Funds – **ACTION ITEM with attachments (work plan online)** – *In January, the BCWMC was awarded \$400,000 in Clean Water Funds from BWSR for the Bryn Mawr Project. The work plan (available with online meeting materials) was recently submitted and is under review by BWSR staff. The grant agreement was reviewed by BCWMC Legal Counsel; staff recommends approval.*

 - G. Approval of Grant Agreement for Lawns to Legumes Neighborhood Demonstration Project, Harrison – **ACTION ITEM with attachments (work plan online)** – *In February, the BCWMC was awarded a \$40,000 Lawns to Legumes Neighborhood Demonstration grant to be utilized by Metro Blooms to work with residents in the Harrison Neighborhood and other Minneapolis neighborhoods within the watershed to install native plantings benefitting pollinators. The work plan (available with online meeting materials) was recently submitted and is under review by BWSR staff. The grant agreement was reviewed by BCWMC Legal Counsel; staff recommends approval.*

- H. Approval of Sub-grant Agreement with Metro Blooms for Lawns to Legumes Grant Project – **ACTION ITEM with attachment** – *Metro Blooms will implement the Lawns to Legumes Project (Item 4G) on behalf of the BCWMC and with other sources of local match gathered by Metro Blooms. The sub-grant agreement (similar to previous sub-grant agreements) stipulates that Metro Blooms will carry out the grant work plan, abide by grant agreement terms, and complete all necessary reporting. The agreement was reviewed by BCWMC Legal Counsel; staff recommends approval.*
- I. Approval of Education Committee Recommendations for 2020 Work Plan and Budget – **ACTION ITEM with attachment** – *The Education Committee met via Zoom on April 6th. They reviewed the education activities completed in 2019 and my recommended activities for 2020, all of which are activities the Commission has done in the past. The committee also discussed and approved a proposal from Dawn Pape to produce 12 short videos in 2020 with water-related messages/education. The committee’s recommendation for the 2020 education work plan and budget are attached. Staff recommends approval.*
- J. Approval of Contract with Lawn Chair Gardener for 2020 Educational Services – **ACTION ITEM with attachment** – *In order to carryout the 2020 education work plan and budget (if approved in Item 4I above), a new education contract with Dawn Pape (DBA Lawn Chair Gardener) is appropriate. This contract is similar to previous contracts and would be funded from the Outreach and Education Budget line. Staff recommends approval.*
- K. Approval to Execute Contract for Curly-leaf Pondweed Control on Medicine Lake – **ACTION ITEM no attachment** – *I recently applied for an herbicide application permit from the MDNR to treat curly-leaf pondweed on Medicine Lake as in years past. A few weeks ago, I received a preliminary quote from a state-approved contractor we’ve used in the past. I am now working to reconnect with the contractor and secure an official quote. I am requesting approval to have a contract executed with BCWMC Legal Counsel review once the permit is secured, and a quote is received.*
- L. Approval of Updated Data Practices Policy – **ACTION ITEM with attachment online** - *This item was tabled at the February meeting and was removed from the March agenda. Commission Legal Counsel Anderson reviewed and updated the BCWMC Data Practices Policy. The document shows recommended updates from the previous version. Mr. Anderson recommends annually adopting the policy.*

5. BUSINESS

- A. Consider Approval of Dominion Redevelopment Project and 90% Plans BCWMC CIP Water Quality Project at Four Seasons Mall – **ACTION ITEMS with attachments** – *At the December 2019 meeting, Commissioners received a presentation on the proposed redevelopment at the old Four Seasons Mall site in Plymouth. The project plans for pollutant removals “above and beyond” those required by the Commission are now 90% complete and were reviewed by the Commission Engineers. The Commission Engineers recommend conditional approval of the redevelopment project, and conditional approval of the 90% plans for the CIP water quality project as expressed in the attached engineers’ memo.*
- B. Consider Approval of Agreement with Dominion Regarding Capital Improvement Program Funds – **ACTION ITEM with attachment** – *If the Commission approves the CIP project in Item 5A, an agreement with the developer is needed. The attached agreement was discussed and negotiated between BCWMC Legal Counsel and attorneys for Dominion, with input and review by me and the Commission Engineers. The attached agreement is not in final form and is pending final reviews by each party. However, no major changes from this version are expected. Staff will send a revised version if one becomes available before the meeting.*

- C. Consider Approval of Agreement with City of Plymouth Regarding Dominion Redevelopment Project – **ACTION ITEM with attachment** – *An agreement with the city of Plymouth is needed to ensure that access is granted by the city for project construction and that ongoing maintenance will be performed by the city, when appropriate, and required by the city of the developer. The attached agreement was drafted by BCWMC Legal Counsel and reviewed by the city’s attorney. Staff recommends approval.*

- D. Review Draft Policy for Use of CIP Funds for Equipment Purchase – **ACTION ITEM with attachment** – *At the February meeting Commissioners discussed a TAC recommendation to add cost sharing the purchase of a high efficiency street sweeper to the 5-year CIP. Commissioners requested further information and a draft policy on using CIP funds to purchase equipment. Staff drafted the attached policy which is similar to a policy recently adopted by Shingle Creek and Elm Creek WMCs. Approval of this policy can be considered independently of the street sweeper request from Plymouth in Item 5F below.*

- E. Consider Approval of TAC Recommendations on 5-year Capital Improvement Program – **ACTION ITEM with attachments** - *At the February meeting Commissioners discussed the TAC recommended 5-year CIP. Most of the discussion centered on the recommendation to cost share a high efficiency street sweeper for the city of Plymouth. Staff reviewed available literature on the pollution mitigating abilities of street sweeping and prepared the attached memo. The other recommended additions to the 5-year CIP were not discussed at February meeting. The complete TAC-recommended 5-year CIP and project fact sheets are included here. Decisions on the 5-year CIP will likely require a minor plan amendment and would be added to the agenda for the May 21st public hearing.*
 - i. Staff Memo on Street Sweeper Cost Share
 - ii. TAC Recommended 5-year CIP and Project Fact Sheets

- F. Review Draft Feasibility Study for Main Stem Lagoon Dredging Project – **INFORMATION ITEM with attachments (full document and appendices online)** – *At the July 2019 meeting, the Commission approved a proposal from the Commission Engineer to complete a feasibility study for the Main Stem Lagoon Dredging Project. The attached draft study was reviewed by me, city of Minneapolis staff, and Minneapolis Park and Rec Board staff. The Commission Engineer will give an overview of the study results and alternatives considered, along with options for how to proceed. No action is needed at this meeting.*

6. COMMUNICATIONS (10 minutes)

- A. Administrator’s Report
 - i. Adjusted Hennepin County Max Tax Levy Timeline
 - ii. Sweeney Lake Water Quality Improvement Project Virtual Open House
- B. Chair
- C. Commissioners
- D. TAC Members
- E. Committees
 - i. Education Committee
 - ii. Budget Committee
- F. Education Consultant
 - i. New Clean Your Stormdrain Video
- G. Legal Counsel
- H. Engineer
 - i. MTD Work Group Update Memo

7. INFORMATION ONLY (Information online only)

- A. CIP Project Updates <http://www.bassettcreekwmo.org/projects>
- B. Grant Tracking Summary and Spreadsheet
- C. 2020 BCWMC Administrative Calendar
- D. WCA Notices of Decision, Plymouth
- E. WCA Notices of Application, Plymouth

8. ADJOURNMENT

Upcoming Meetings & Events

- Sweeney Lake Water Quality Improvement Project Public Open House: Wed April 8th, 5:30 – 7:30 p.m. via WebEx
- BCWMC Budget Committee Meeting: Thursday April 9th, 12:00 – 1:30 p.m., via Zoom
- Bassett Creek Watershed Mgmt Commission Meeting & Public Hearing: Thursday May 21st, 8:30 a.m., location TBD
- Westwood Hills Nature Center Grand Opening – Monday June 8th, 4:00 – 8:00 p.m., Westwood Hills Nature Center