



Bassett Creek Watershed Management Commission

Minutes of Regular Meeting May 21, 2015 Golden Valley City Hall, 8:30 a.m.

Commissioners and Staff Present:

Crystal	Commissioner Guy Mueller, Vice Chair	Robbinsdale	Alternate Commissioner Michael Scanlan
Golden Valley	Commissioner Stacy Hoschka, Treasurer	St. Louis Park	Commissioner Jim de Lambert, Chair
Medicine Lake	Commissioner Clint Carlson	Administrator	Laura Jester
Minneapolis	Commissioner Michael Welch	Attorney	Charlie LeFevere, Kennedy & Graven
Minnetonka	Commissioner Jacob Millner	Engineer	Karen Chandler, Barr Engineering Co.
New Hope	Alternate Commissioner Pat Crough	Recorder	Amy Herbert
Plymouth	Commissioner Ginny Black		

Technical Advisory Committee (TAC) Members/ Other Attendees Present:

Adam Arvidson, Minneapolis Park and Rec Board	Jeff Oliver, TAC, City of Golden Valley
Derek Asche, TAC, City of Plymouth	Bob Paschke, TAC, City of New Hope
Erick Francis, TAC, City of St. Louis Park	Mark Ray, TAC, City of Crystal
Christopher Gise, Golden Valley Resident	Liz Stout, TAC, City of Minnetonka
Jere Gwin-Lenth, Friends of Northwood Lake Association	David Tobelmann, Alternate Commissioner, City of Plymouth
Chris Long, TAC, City of New Hope	Andrea Weber, Minneapolis Park and Rec Board
Richard McCoy, TAC, City of Robbinsdale	Robert White, Friends of Northwood Lake Association
Jane McDonald Black, Alternate Commissioner, City of Golden Valley	Doug Williams, Friends of Northwood Lake Association
Patrick Noon, Alternate Commissioner, City of St. Louis Park	

1. CALL TO ORDER AND ROLL CALL

On Thursday, May 21, 2015, at 8:34 a.m. in the Council Conference room at Golden Valley City Hall, Chair de Lambert called to order the meeting of the Bassett Creek Watershed Management Commission (BCWMC) and asked for roll call to be taken [Cities of Minneapolis and Robbinsdale absent from roll call].

2. CITIZEN FORUM ON NON-AGENDA ITEMS

No items were raised.

3. AGENDA

Chair de Lambert requested that item 6E – Discuss Clean Water Partnership Grant Award and Northwood Lake Improvement Project (NL-1) be moved forward in the agenda to immediately follow item 6B – Consider Submitting Draft Watershed Management Plan for 90-day Review. Commissioner Black moved to approve the agenda as amended. Commissioner Mueller seconded the motion. Upon a vote, the motion carried 7-0. [Cities of Minneapolis and Robbinsdale absent from vote.]

[Commissioner Welch, Minneapolis, and Alternate Commissioner Scanlan arrive.]

4. CONSENT AGENDA

Commissioner Hoschka moved to approve the Consent Agenda. Alternate Commissioner Crough seconded the motion. Upon a vote, the motion carried 9-0. [The following items were approved as part of the Consent Agenda: the April 16, 2015, Commission Meeting minutes, the monthly financial report, the payment of the invoices, Approval of 26th Avenue North Development-Minneapolis, Approval Not to Waive Monetary Limits on Municipal Tort Liability, Approval of Reimbursement Request from City of Minneapolis for CR2012 Main Stem Restoration Project, Accept and Authorize Distribution of Fiscal Year 2014 Financial Audit, and Approval of Agreement with Metropolitan Council for Participation in 2015 Citizen-Assisted Monitoring Program (CAMP)]. The general and construction account balances reported in the Fiscal Year 2015 Financial Report prepared for the May 21, 2015, meeting are as follows:

Checking Account Balance	\$749,681.98
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TOTAL GENERAL FUND BALANCE	\$749,681.98
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TOTAL CASH & INVESTMENTS ON-HAND (5/1315)	\$3,377,702.98
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CIP Projects Levied – Budget Remaining	(\$4,137,299.52)
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Closed Projects Remaining Balance	\$759,596.54
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2012-2014 Anticipated Tax Levy Revenue	\$9,634.81
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2015 Anticipated Tax Levy Revenue	\$1,000,000.00
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Anticipated Closed Project Balance	\$250,038.27
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5. PUBLIC HEARING: Receive Comments on Draft 10-year Watershed Management Plan

Chair de Lambert opened the public hearing and called for comments on the BCWMC draft Watershed

Management Plan. He called for comments again. Upon hearing no comments, Chair de Lambert closed the hearing at 8:40 a.m.

6. BUSINESS

A. Receive Presentation from Minneapolis Park and Recreation Board Staff on Theodore Wirth Park Master Plan

Andrea Weber of the Minneapolis Park and Recreation Board (MPRB) introduced herself and Adam Arvidson, also with the MPRB. Ms. Weber gave a presentation with an overview of the Theodore Wirth Park, and the Park's Master Plan process. She explained that the result of the master plan process is a 100-page document detailing what the Master Plan will accomplish over the next 20 years. Ms. Weber noted that the public comment period extended from October 15, 2014, to January 9, 2015, and that the MPRB received 160 comments prior to the public hearing. She said comments were received from six outside partner agencies. She described how the MPRB organized the received comments by sorting them into themes. Ms. Weber detailed how the MPRB handled the responses to comments.

Ms. Weber reported that the plan has been approved by the MPRB Board and the Metropolitan Council's Park and Open Space Committee and will soon be in front of the Metropolitan Council Board.

Ms. Weber presented maps of different areas of the park, talked about features of the park and described changes to the park as outlined in the master plan. She went into detail about the natural surface trail system, particularly the off-road bike trails. Ms. Weber responded to comments and questions. She offered to host a trail walk with Commissioners to they could see the natural surface trail system.

Commissioner Welch remarked that the BCWMC and the MPRB have a lot of opportunity to work together as not much construction has occurred yet. He recommended that the MPRB participate in the BCWMC's TAC meetings. Commissioner Hoschka suggested that the MPRB collaborate with the BCWMC on signage in the park. Ms. Weber said that the Commission could send further comments and questions to Administrator Jester, who would forward them to the MPRB.

[Commissioner Hoschka, Golden Valley, departed the meeting. Alternate Commissioner McDonald Black present to represent Golden Valley.]

B. Consider Submitting Draft Watershed Management Plan for 90-Day Review

i. Approval of Technical Advisory Committee Recommendations on Requirements Document

Engineer Chandler explained that the Requirements Document will be incorporated into the Watershed Management Plan as an appendix and the Commission would need to approve the Requirements Document prior to taking action to submit the Draft Plan for the 90-day review. She described what was included in the Requirements Document and summarized the revisions to the document.

There was discussion about items in the revised Requirements Document. Commissioner Welch suggested that the Commission add to a future agenda a discussion of the fee structure so the Commission can ensure the fees are appropriate for the revised requirements. Commissioner Welch asked for more information on the document's concept of "MIDS or equivalent standard." Engineer Chandler described why this language is used in the document.

Commissioner Black moved to approve the TAC's recommended changes to the BCWMC's

Requirements Document and to include the revised Requirements Document in the BCWMC's Watershed Management Plan. Alternate Commissioner McDonald Black seconded the motion. Mr. Asche asked how the benefit of the stream buffer is quantified. Engineer Chandler responded that the benefit could be quantified if the buffer were bigger but the smaller the buffer, the harder it is to quantify. There was a discussion of the BCWMC's priority streams and a lengthy discussion on the stream buffer requirement in the revised Requirements Document. Staff noted the buffer requirement was discussed and negotiated during several meetings including TAC meetings, Plan Steering Committee meetings, and Commission workshops. Mr. Asche requested a fact sheet on buffers that cities can use with developers to help justify the buffer requirement. Staff agreed to develop a fact sheet. Upon a vote, the motion carried 9-0.

ii. Direct Staff to Submit Draft Plan for 90-day Review

Administrator Jester reminded the Commission that it received no comments during today's public hearing on the draft plan. She reported that staff submitted to State review agencies and other partners the responses to comments received during the 60-day review.

Administrator Jester said that staff is requesting Commission direction to submit the draft plan for the 90-day review. She summarized the anticipated timeline for the remaining steps of the watershed plan process:

- Draft Plan is submitted for 90-day review, which would start on approximately June 1;
- The Minnesota Board of Water and Soil Resources (BWSR) Metro Subcommittee would meet likely in late July or early August and Commission staff and Chair de Lambert would likely make a presentation to that subcommittee.
- The BWSR Metro Subcommittee would make a recommendation to the full BWSR Board.
- The BWSR Board does not have a July meeting so would take up the Subcommittee's recommendation at the August BWSR Board meeting.
- The BCWMC's September 17, 2015, meeting would include adoption of the final proposed plan as an agenda item.

Commissioner Welch moved to approve submitting the draft plan for the 90-day review. Alternate Commissioner Jane McDonald Black seconded the motion. Upon a vote, the motion carried 9-0.

C. Discuss Clean Water Partnership Grant Award and Northwood Lake Improvement Project (NL-1)

Administrator Jester reported that the Commission was awarded a \$300,000 Clean Water Partnership Grant from the Minnesota Pollution Control Agency for the Northwood Lake Project. She noted that the grant was based on the project's implementation of option A, the underground stormwater reuse chamber, pump house and redistribution system and rain gardens and option C, the construction of a wet ponding basin on the west side of the lake.

Administrator Jester reminded the Commission that at next month's meeting the Commission will take action on its Major Plan Amendment, which incorporates the Northwood Lake project and the Honeywell Pond Expansion project into the Commission's CIP. Administrator Jester said that also at the June meeting, the Commission will be making a decision on which of the Northwood Lake project options to implement and setting a maximum levy amount for 2016. She asked what information the Commission would want in order to make those decisions. Administrator Jester described Envision, an in-depth guidance and rating system

used to assess the sustainability metrics of all types and sizes of infrastructure. She said that Barr Engineering staff walked through the process with her for the Northwood Lake project, comparing the stormwater reuse option to the stormwater ponding option, so many of the metrics for this project have already been calculated. Administrator Jester said that she could bring this information to the Commission in June. Commissioner Welch said that he would like to see the Envision outcomes.

Commissioner Welch moved to authorize the Administrator to work with the Commission Engineer to complete the Envision analysis of the Northwood Lake project options and at a cost not to exceed \$750 to come from the general engineering technical services fund. Alternate Commissioner Scanlan seconded the motion.

Mr. Paschke commented that he believes that the strength of the Commission greatly helped to secure the Clean Watershed Partnership Grant. He said there are other grants that he would like the watershed to try to receive for this project. Commissioner Tobelmann remarked that the Commission needs to consider what kinds of costs it wants to take on with projects that have a primary benefit to a city compared to the watershed.

Upon a vote, the motion carried 9-0.

Alternate Commissioner McDonald Black said that she would like to know the cost per acre of parkland that is being saved by not installing the stormwater pond. The City of New Hope said it would try to provide this information for the June meeting.

D. Discuss Proposed 2016 Operating Budget and Member City Assessments

Administrator Jester provided an overview of the proposed 2016 operating budget and assessment. She reported that the proposed assessment to the member cities is the same as this year and 2014 (\$490,000). She went through the proposed changes for the 2016 budget compared to the 2015 budget. Administrator Jester went through a list of items that the Budget Committee did not have time to discuss but that are additional budget items staff would like to propose for 2016, including: Creek signs at major crossings; develop a CIP inspection and/or maintenance program, which has been recommended by the TAC, a shore land habitat monitoring program, and developing a workshop series for Commissioners to educate them on topics that can't be fully covered during regular meetings.

Administrator Jester and Engineer Chandler responded to comments and questions.

Alternate Commissioner Scanlan moved to approve the proposed budget and assessment and to direct the Administrator to prepare a supplemental memo detailing the newly proposed budget items for review at the June Commission meeting, and to delay submitting the proposed budget to member cities until after the Commission's June meeting. Commissioner Mueller seconded the motion.

Commissioner Black stated that the Commission has discussed the idea of an Aquatic Invasive Species (AIS) task force and she would like to see this task force on the Commission's work plan. Administrator Jester responded that the proposed budget has allocated up to \$5,000 for this work for 2016.

Upon a vote, the motion carried 8-0 (City of Plymouth abstained from the vote).

E. Consider Approval of Technical Advisory Committee Recommendations from 4-2-15 Meeting

i. 2017-2021 Capital Improvement Program

Mr. Francis stated that the TAC reviewed three options for the proposed CIP list 2017-2021. He reported that the TAC recommends that the Commission approve Option 2, which spreads the costs of more projects over two years than does Option 1. Administrator Jester and Engineer Chandler

responded to questions. Commissioner Black moved to approve the 2017-2021 CIP, Option 2. Alternate Commissioner Scanlan seconded the motion. Upon a vote, the motion carried 9-0.

ii. Timing for Study of Flood Control Project Rehab & Replacement Responsibilities & Funding

Mr. Francis reported that the TAC recommends the Commission begin this study in 2015 with funds from the Long Term Maintenance Fund. Engineer Chandler noted that she expects most of the work for the study to be completed through a series of TAC meetings and would involve Commission Engineer Kremer and Legal Counsel LeFevere. Commissioner Black moved to authorize starting this project at a cost not to exceed \$15,000 and for those funds to first be taken from the Operating Budget and second from the Long-term Maintenance budget. Alternate Commissioner Scanlan seconded the motion. Upon a vote, the motion carried 9-0.

F. Consider Approval of 2014 Annual Report

Commissioner Welch moved approval and distribution of the annual report. Commissioner Black seconded the motion. Upon a vote, the motion carried 9-0. Commissioner Welch asked that the report's executive summary be posted as a separate document on the Commission website.

7. COMMUNICATIONS

A. Administrator: Administrator Jester noted her communications in the written Administrator's report.

B. Chair: No Chair Communications

C. Commissioners:

- i. Commissioner Welch reported that another version of watershed consolidation legislation has been introduced, which could consolidate the Hennepin County watersheds into three organizations: North, Middle, and South. He said there has been discussion about convening a group of Hennepin County watershed organizations to discuss this issue. He suggested that Administrator Jester participate on behalf of the Commission and perhaps a commissioner would be interested in participating as well. Commissioner Black suggested that the Commission discuss this issue at a future meeting.
- ii. Commissioner Welch announced that the Waters of the United States rule will come out soon regarding the definition of federal jurisdiction over surface waters.
- iii. Commissioner Black reported that the Plymouth City Council met regarding the Medicine Lake water level study that the City of Plymouth and the City of Medicine Lake proposed to share. She said that the Plymouth City Council is not currently in favor of the City of Plymouth moving forward with this study.

D. TAC Members: Mr. Oliver reported that the Twin Lake alum treatment had occurred earlier that week and went well.

E. Committees: Administrator Jester noted that the Education Committee met to kick-off the website redesign project.

F. Legal Counsel:

- i. Attorney LeFevere announced that his firm is throwing his retirement party in June, and he described

how Kennedy & Graven will continue to provide legal services to the Commission.

G. Engineer:

- i. Engineer Chandler said she doesn't see anything coming up on the horizon regarding the Blue Line LRT and reported that staff had some follow up communications with the Blue Line LRT last month.
- ii. Engineer Chandler said that staff is following up on funding options for the XP-SWMM and will bring information to the Commission's June meeting. She said that in the meantime preliminary work is being done including setting up monitoring on the North Branch of Bassett Creek.

8. INFORMATION ONLY (Available at <http://www.bassettcreekwmo.org/Meetings/2015/2015-May/2015MayMeetingPacket.htm>)

- A. CIP Project Update Chart
- B. Grant Tracking Summary and Spreadsheet
- C. NEMO Save the Date Flyer

9. ADJOURNMENT

Chair de Lambert adjourned the meeting at 11:30 a.m.

Amy Herbert, Recorder Date

Secretary Date