



Bassett Creek Watershed Management Commission

AGENDA MEMO

Date: May 12, 2021

To: BCWMC Commissioners

From: Laura Jester, Administrator

RE: Background Information for 5/20/21 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 (10 minutes)**
 - A. Approval of Minutes – April 15, 2021 Commission Meeting- **ACTION ITEM with attachment**
 - B. Acceptance of May 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 – April 2021 Administrative Services
 - ii. Keystone Waters, LLC – April 2021 Printing Expenses
 - iii. Barr Engineering – April 2021 Engineering Services
 - iv. Lawn Chair Gardener – April 2021 Administrative and Education Services
 - v. Kennedy & Graven – March 2021 Legal Services
 - vi. MN Association of Watershed Districts – 2021 Dues
 - vii. PLM Land and Lake Management – Curly-leaf pondweed Treatment, Medicine Lake
 - viii. Redpath and Co. – Accounting Services
 - ix. Finance & Commerce – Public Hearing Notice
 - x. ECM Publishers, Inc. – Public Hearing Notice
 - xi. Wenck/Stantec – WOMP
 - D. Approval of 2020 BCWMC Annual Report – **ACTION ITEM with attachment (full document online) -** *According to MN Rules Chapter 8410, the BCWMC is required to submit an annual report to the MN Board of Water and Soil Resources. Staff recommends approval of the attached report and direction to submit the report and post online.*
 - E. Approval of Agreement with Three Rivers Park District for Medicine Lake Cooperation – **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 BWCMC Legal Counsel and is the same agreement used in years past. Staff recommends approval.*
 - F. Approval of Amendment to Agreement with Dawn Pape – **ACTION ITEM with attachment** – *The BCWMC Education Consultant is folding her business (Lawn Chair Gardener) into her existing non-profit (We All Need Food and Water) to reduce her administrative and reporting tasks. Commission Legal Counsel Anderson drafted the attached assignment and assumption agreement and recommends approval.*

- G. Approval of Resolution 21-05 Not to Waive Monetary Limits on Municipal Tort Liability – **ACTION ITEM with attachment** – *Commission Legal Counsel Anderson recommends the Commission take action (via resolution) to not waive monetary limits on municipal tort liability. This action is taken by the Commission annually.*
- H. Approval of Boone Animal Hospital Development Project, Golden Valley – **ACTION ITEM with attachment** – *The proposed project includes site demolition and construction of a new building, paved parking areas, utilities, and stormwater management infrastructure, creating 0.99 acres of new and fully reconstructed impervious surfaces. The proposed project will result in a net increase in floodplain storage of approximately 34 cubic yards and although the project does not trigger BCWMC water quality requirements, the project will incorporate volume control onsite. Staff recommends approval.*

5. PUBLIC HEARING

- A. Receive Comments from Cities and Public on Proposed Minor Plan Amendment – **DISCUSSION ITEM with attachment** - *At the March meeting, the Commission approved a 5-year CIP that requires a minor amendment to the watershed management plan to incorporate new projects into the CIP. At this hearing the Commission should consider comments from the public and its member cities on the proposed amendment.*
 - i. Consider Extending Comment Period to August 3, 2021 per Hennepin County Request – **ACTION ITEM with attachment** – *Although the 30-day comment period for the plan amendment ended on May 7th, due to the timing of Hennepin County Board meetings, the County is requesting an extension of the comment period until August 3rd. Staff recommends approval.*

6. BUSINESS

- A. Review Draft Feasibility Study for Medley Park Stormwater Treatment Facility Project (35 min) – **DISCUSSION or ACTION ITEM with attachment (full documents online)** - *At the August 2020 meeting, the Commission approved a proposal from the Commission Engineer to prepare a feasibility study for this project. The feasibility study report was prepared with considerable input from Golden Valley staff, review and input from me, and input from the public. The Commission Engineer will present three concepts evaluated for implementation; staff recommends that the Commission implement Concept #3. The Commission can take action approving the feasibility study at this meeting, or if revisions are needed, a revised study can be considered at the June meeting.*
- B. Review Draft Feasibility Study for SEA School-Wildwood Park Flood Reduction Project (35 min) - **DISCUSSION or ACTION ITEM with attachment (full documents online)** – *Similar to the project above, at the August 2020 meeting, the Commission approved a proposal from the Commission Engineer to prepare a feasibility study for this project. The report was prepared with considerable input from Golden Valley staff, input from Robbinsdale Schools, review and input from me, and input from the public. The Commission Engineer will present three concepts evaluated for implementation; staff recommends that the Commission implement Concept #3. The Commission can take action approving the feasibility study at this meeting, or if revisions are needed, a revised study can be considered at the June meeting.*

BREAK

- C. Review Budget Committee Recommendations for Proposed 2022 Operating Budget (20 min) – **DISCUSSION or ACTION ITEM with attachment** - *The Budget Committee met on March 22nd and April 12th to develop recommendations for the 2022 operating budget and city assessments. The attached budget includes the committee’s proposed budget in one column, along with some proposed staff revisions in a separate column. Since the Budget Committee recommendations, Commission Engineers learned more*

about the partnering opportunities with TRPD for Plymouth Creek monitoring and the water quality monitoring budget was lowered by \$10,000. With that savings, I slightly increased some other budget lines to better reflect probable need (more information in notes section of document). Overall, the total staff proposed budget is \$3,552 lower than the original committee proposed total. 2022 City assessments are proposed to be about 4.1% higher than 2021 assessments. The Commission can take action to approve a proposed budget at this meeting or can request a revised budget for consideration at the June meeting.

- D. Consider Approval of Waiver of Conflict for Commission Attorney (5 min) – **ACTION ITEM with attachment** – *Commission Legal Counsel Anderson recently learned that colleagues at his firm occasionally represent the City of Minneapolis on highly specialized public finance and real estate projects. Although those projects are completely unrelated to the Bryn Mawr Meadows Water Quality Improvement Project, he requests a waiver of conflict in order to continue working on the Commission’s behalf on the Bryn Mawr Meadows Water Quality Improvement Project agreement between the Commission, MPRB, and the City of Minneapolis. I recommend approval of the waiver.*

- E. Consider Conditional Approval of Proposal for Bryn Mawr Meadows Water Quality Improvement Project Design by Commission Engineer (20 min) – **ACTION ITEM with attachment** – *At the November 2020 meeting, the Commission requested a scope of work from the Commission Engineer to provide design and project engineering for an amount not to exceed \$183,000. The project will be implemented within Bryn Mawr Meadows Park and adjacent city streets and will be designed and constructed in conjunction with the MPRB’s design and reconstruction of Bryn Mawr Meadows Park. The Commission will consider an agreement with Minneapolis and MPRB assigning project design responsibilities to the Commission at the June meeting. I recommend approving the attached proposal contingent on approval of the agreement next month.*

7. COMMUNICATIONS (10 minutes)

- A. Administrator’s Report – **INFORMATION ITEM with attachment**
 - i. Update on PRAP
 - ii. Update on Hybrid Meeting Options
 - iii. Update on Twin Lake
 - iv. Salt Symposium Early Bird Registration Open
 - v. [WCCO Interview](#)
- B. Chair
- C. Commissioners
- D. TAC Members
- E. Committees
- F. Education Consultant
 - i. [New Video](#) and Making Connections Series
- G. Legal Counsel
- H. Engineer
 - i. Update on 2021 Monitoring Activities

8. INFORMATION ONLY (Information online only)

- A. BCWMC Administrative Calendar
- B. CIP Project Updates <http://www.bassettcreekwmo.org/projects>
- C. Grant Tracking Summary and Spreadsheet
- D. Hennepin County Climate Action Plan – Adopted
- E. BWSR Snapshots Featuring Northside Lawns to Legumes Project