



Bassett Creek Watershed Management Commission

Regular Meeting
Thursday, June 20, 2024
8:30 a.m.

Council Conference Room
Golden Valley City Hall @ 7800 Golden Valley Rd.

Listen via Zoom:

<https://plymouthmn.gov.zoom.us/meeting/register/tZcodOCvrj8rHtZjxg6hib82UqHHvF4lft3#/registration>

MEETING AGENDA

1. CALL TO ORDER and ROLL CALL

2. **PUBLIC FORUM ON NON-AGENDA ITEMS** – *Members of the public may address the Commission about any item not contained on the regular agenda. A maximum of 15 minutes is allowed for the Forum. If the full 15 minutes are not needed for the Forum, the Commission will continue with the agenda. The Commission will take no official action on items discussed at the Forum, except for referral to staff or a Commissions Committee for a recommendation to be brought back to the Commission for discussion/action.*

3. APPROVAL OF AGENDA

4. CONSENT AGENDA (10 minutes)

- A. Approval of Minutes – May 16, 2024 Commission Meeting
- B. Acceptance of June Financial Report
- C. Approval of Payment of Invoices
 - i. Keystone Waters, LLC – May 2024 Administration
 - ii. Keystone Waters, LLC – May 2024 Administrative Expenses
 - iii. Barr Engineering – May 2024 Engineering Services
 - iv. Triple D Espresso – Meeting Catering
 - v. City of Plymouth – May Accounting Services
 - vi. Kennedy and Graven – Legal Services
 - vii. Redpath and Company – 2023 Financial Audit Assistance
 - viii. League of MN Cities Insurance Trust P&C – Insurance Renewal
 - ix. Metro Conservation Districts – Metro Children’s Water Festival
 - x. MMKR – 2023 Audit
 - xi. Stantec – Watershed Outlet Monitoring Program (WOMP) Services
- D. Approval to Reimburse Commissioners and Alternates for Salt Symposium Registration
- E. Approval of BNSF Bridge Replacement Project, Minneapolis
- F. Approval Golden Valley Zane Ave & Lindsay Street Improvement Project, Golden Valley

5. BUSINESS

- A. Review Comments from Member Cities on Proposed Joint Powers Agreement (40 min)
- B. Consider Approval of Proposed 2025 Operating Budget & Budget Cmte Recommendations (20 min)
- C. Consider Approval of 2025 Maximum Levy Request (15 min)
- D. Receive Update from Plan Steering Committee (5 min)
- E. Consider Moving Move September Commission Meeting/Public Hearing to Evening (5 min)

6. COMMUNICATIONS (15 minutes)

- A. Administrator's Report
 - i. Update on Sweeney Lake Eurasian Watermilfoil
 - ii. West Metro Water Alliance (WMWA) Educator Position Opening
 - iii. Watershed Based Implementation Funding Convene Meeting #2 – July 8th
- B. Engineer
 - i. Update on SWLRT Construction Project
- C. Legal Counsel
- D. Chair
- E. Commissioners
 - i. Report on Ĥaĥá Wakpádaŋ Event with MWMO
 - ii. Report on Bryn Mawr Meadows Park Tour
 - iii. Report on St. Louis Park Ecotacular Event
- F. TAC Members
 - i. Street Sweeping Prioritization Scope
 - ii. Need August 7th Liaison
- G. Committees
 - i. Education Committee Meeting June 26th

7. INFORMATION ONLY (Information online only)

- A. Administrative Calendar
- B. CIP Project Updates www.bassettcreekwmo.org/projects
- C. Grant Tracking Summary and Spreadsheet
- D. [Sun Post Article on Lake Delisting in WMWA Area](#)
- E. Lakeline Article on 20 Years of Delisting Lakes
- F. WCA Notice, Minnetonka
- G. WCA Notice, Golden Valley

8. ADJOURNMENT

Upcoming Meetings & Events

- [BCWMC Plan Steering Committee Meeting](#): Wednesday, July 10, 8:30 a.m., Wirth Lake Room, Brookview
- [BCWMC Technical Advisory Committee Meeting](#): Wednesday, July 10, 10:30 a.m., Wirth Lake Room, Brookview
- [BCWMC Regular Meeting](#): Thursday, July 18, 8:30 a.m., Golden Valley City Hall
- [MN Watersheds Summer Tour Event](http://www.mnwatersheds.com/summer-tour): June 25 – 27, St. Paul www.mnwatersheds.com/summer-tour
- [BCWMC Education Committee Meeting](#): June 26, 4:00 p.m., Wirth Lake Room, Brookview
- [Annual Salt Symposium](http://www.bolton-menk.com/salt-symposium/): August 6 – 7, virtual; www.bolton-menk.com/salt-symposium/



Bassett Creek Watershed Management Commission

AGENDA MEMO

Date: June 13, 2024

To: BCWMC Commissioners

From: Laura Jester, Administrator

RE: Background Information for 6/20/24 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 – May 16, 2024 Commission Meeting- **ACTION ITEM with attachment**
 - B. Acceptance of June Financial Report - **ACTION ITEMS with attachment**
 - C. Approval of Payment of Invoices - **ACTION ITEM with attachments (online) – I reviewed the following invoices and recommend payment.**
 - i. Keystone Waters, LLC – May 2024 Administration
 - ii. Keystone Waters, LLC – May 2024 Administrative Expenses
 - iii. Barr Engineering – May 2024 Engineering Services
 - iv. Triple D Espresso – Meeting Catering
 - v. City of Plymouth – May Accounting Services
 - vi. Kennedy and Graven – Legal Services
 - vii. Redpath and Company – 2023 Financial Audit Assistance
 - viii. League of MN Cities Insurance Trust P&C – Insurance Renewal
 - ix. Metro Conservation Districts – Metro Children’s Water Festival
 - x. MMKR – 2023 Audit
 - xi. Stantec – Watershed Outlet Monitoring Program (WOMP) Services
 - D. Approval to Reimburse Commissioners and Alternates for Salt Symposium Registration – **ACTION ITEM no attachment** – *The annual Salt Symposium (www.bolton-menk.com/salt-symposium/) will be held virtually August 6-7. Early bird pricing (before July 1) is \$200 for two days and \$100 for one day. (\$250 and \$185, respectively after June 30th) Staff recommends reimbursing commissioners or alternates who would like to attend the symposium. The Commission’s Education Budget has funds intended for commissioner training and registrations.*
 - E. Approval of BNSF Bridge Replacement Project, Minneapolis - **ACTION ITEM with attachment** – *The proposed project is located along the Main Stem of Bassett Creek and includes removing the existing super-structure over the creek and placing precast concrete structures onto the existing piers with an on-track crane, resulting in 0 acres of disturbance and no change in impervious surface from existing to proposed. The project was conditionally approved in April 2023 but has since been revised. Staff recommends approval as outlined in the attached memo.*
 - F. Approval Golden Valley Zane Ave & Lindsay Street Improvement Project, Golden Valley - **ACTION ITEM with attachment** - *The proposed linear project is primarily within the Sweeney Lake*

Subwatershed in the City of Golden Valley. The proposed includes reconstruction of streets and utility improvements, including water main, sanitary sewer, and storm sewer, resulting in 5.63 acres of grading (disturbance). The proposed project creates 4.20 acres of fully reconstructed impervious surfaces. Overall, the project will result in a decrease of 0.31 acres of impervious surfaces, from 4.51 acres to 4.20 acres. Staff recommends approval as outlined in the attached memo.

5. BUSINESS

- A. Review Comments from Member Cities on Proposed Joint Powers Agreement (40 min) – **DISCUSSION ITEM with attachments** - *At the April 18th Commission meeting, proposed language for an updated JPA was approved. See the final proposed draft attached. The proposed revised JPA and corresponding documents outlining the changes from the current JPA were sent to the member cities on April 19th. Cities were asked to provide comments by June 10th. To date, I have received comments from all cities except Golden Valley and Medicine Lake. These cities hope to provide comments before the Commission meeting which I will send to commissioners as soon as received. The Commission should review and discuss the comments and consider directing staff on next steps.*
- B. Consider Approval of Proposed 2025 Operating Budget and Budget Committee Recommendations (20 min) – **ACTION ITEM with attachments** - *The Budget Committee met March 22, May 2, and May 20 to discuss the 2025 Operating Budget and related matters such as establishing a maintenance levy and adding staff capacity. Please review the attached memo with committee recommendations and corresponding proposed budget. A proposed budget should be approved at this meeting and sent to member cities for review no later than July 1st.*
- C. Consider Approval of 2025 Maximum Levy Request (15 min) – **ACTION ITEM with attachment** – *A maximum levy request for 2025 must be set at this meeting and submitted to the County by June 21st. The final levy will be set later this year and can be lower than the maximum amount set at this meeting but cannot be higher. Staff recommends a maximum 2025 levy of \$2,303,500. Please see the attached memo for additional information.*
- D. Receive Update from Plan Steering Committee (5 min) – **INFORMATION ITEM with attachment** – *The Plan Steering Committee met on June 12th and continued its work. Please see the attached information and plan development progress tracker.*
- E. Consider Moving Move September Commission Meeting/Public Hearing to Evening (5 min) – **DISCUSSION ITEM no attachment** – *At the February meeting there was a suggestion to consider holding meetings that incorporate a public hearing in the evening in order to allow easier participation by residents. The September 19th meeting will include a public hearing to officially order the Plymouth Creek Restoration Project. The Commission should discuss how/when to host the hearing.*

6. COMMUNICATIONS (15 minutes)

- A. Administrator's Report
 - i. Update on Sweeney Lake Eurasian Watermilfoil
 - ii. West Metro Water Alliance (WMWA) Educator Position Opening
 - iii. Watershed Based Implementation Funding Convene Meeting #2 – July 8th
- B. Engineer
 - i. Update on SWLRT Construction Project
- C. Legal Counsel
- D. Chair

- E. Commissioners
 - i. Report on Ĥaĥá Wakpádaŋ Event with MWMO
 - ii. Report on Bryn Mawr Meadows Park Tour
 - iii. Report on St. Louis Park Ecotacular Event
- F. TAC Members
 - i. Street Sweeping Prioritization Scope
 - ii. Need August 7th Liaison
- G. Committees
 - i. Education Committee Meeting June 26th

7. INFORMATION ONLY (Information online only)

- A. Administrative Calendar
- B. CIP Project Updates www.bassettcreekwmo.org/projects
- C. Grant Tracking Summary and Spreadsheet
- D. [Sun Post Article on Lake Delisting in WMWA Area](#)
- E. Lakeline Article on 20 Years of Delisting Lakes
- F. WCA Notice, Minnetonka
- G. WCA Notice, Golden Valley

8. ADJOURNMENT

Upcoming Meetings & Events

- BCWMC Plan Steering Committee Meeting: Wednesday, July 10, 8:30 a.m., Wirth Lake Room, Brookview
- BCWMC Technical Advisory Committee Meeting: Wednesday, July 10, 10:30 a.m., Wirth Lake Room, Brookview
- BCWMC Regular Meeting: Thursday, July 18, 8:30 a.m., Golden Valley City Hall
- MN Watersheds Summer Tour Event: June 25 – 27, St. Paul www.mnwatersheds.com/summer-tour
- BCWMC Education Committee Meeting: June 26, 4:00 p.m., Wirth Lake Room, Brookview
- Annual Salt Symposium: August 6 – 7, virtual; www.bolton-menk.com/salt-symposium/



Bassett Creek Watershed Management Commission

DRAFT Minutes of Regular Meeting
Thursday, May 16, 2024
8:30 a.m.
Golden Valley City Hall, 7800 Golden Valley Road

1. CALL TO ORDER and ROLL CALL

On Thursday May 16, 2024 at 8:35 a.m. Vice Chair Welch called the Bassett Creek Watershed Management Commission (Commission) to order.

Commissioners, city staff, and others present

City	Commissioner	Alternate Commissioner	Technical Advisory Committee Members (City Staff)
Crystal	Joan Hauer	Terri Schultz	<i>Absent</i>
Golden Valley	Paula Pentel	<i>Absent</i>	Eric Eckman
Medicine Lake	<i>Absent</i>	Shaun Kennedy	<i>Absent</i>
Minneapolis	Michael Welch	Jodi Polzin	<i>Absent</i>
Minnetonka	Maryna Chowhan	<i>Absent</i>	<i>Absent</i>
New Hope	Jere Gwin-Lenth	Jen Leonardson	Nick Macklem
Plymouth	Catherine Cesnik	Monika Vadali	Ben Scharenbroich
Robbinsdale	Wayne Sicora	Bob Stamos (online; no participation)	Richard McCoy, Jenna Wolf
St. Louis Park	<i>Absent</i>	David Johnston	Erick Francis
Administrator	Laura Jester, Keystone Waters, LLC		
Engineers	Karen Chandler, Stephanie Johnson, Gabby Campagnola, Jessica Olson (online) – Barr Engineering Co.		
Recording Secretary	<i>Vacant Position</i>		
Legal Counsel	Dave Anderson, Kennedy & Graven		
Guests/Public	None		

2. PUBLIC FORUM ON NON-AGENDA ITEMS

No public comments.

3. APPROVAL OF AGENDA

MOTION: Commissioner Gwin-Lenth moved to approve the agenda. Commissioner Pentel seconded the motion. Upon a vote the motion carried 8-0. The City of Medicine Lake was absent from the vote.

4. CONSENT AGENDA

Item 4A April meeting minutes was removed from the consent agenda.

MOTION: Commissioner Gwin-Lenth moved to approve the consent agenda as amended. Commissioner Pentel seconded the motion. Upon a vote the motion carried 8-0. City of Medicine Lake was absent from the vote.

The following items were approved as part of the consent agenda.

- Acceptance of May Financial Report
- Approval of Payment of Invoices
 - Keystone Waters, LLC – April 2024 Administration
 - Keystone Waters, LLC – April 2024 Administrative Expenses
 - Barr Engineering – April 2024 Engineering Services
 - Triple D Espresso – Meeting Catering
 - City of Plymouth – April Accounting Services
 - Kennedy and Graven – Legal Services
 - Stantec – WOMP Services
 - INCASE LLC – Watershed Map Designer
- Approval of Resolution 24-06 to Not Waive Monetary Limits on Municipal Tort Liability
- Approval to Reimburse Commissioners and Alternates for MN Watersheds Summer Tour Attendance
- Approval for Administrator to Attend MN Watersheds Summer Tour

4A. Approval of Minutes – April 18, 2024 Commission Meeting

Commissioners noted that the roll call vote tally for Item 5B in the meeting minutes was incorrect. St. Louis Park Alternate Commissioner voted “nay.” The minutes will be amended accordingly. The motion still passed with a vote of 6 to 3.

MOTION: Commissioner Gwin-Lenth moved to approve the April 18, 2024 meeting minutes, as amended. Alternate Commissioner Johnston seconded the motion. Upon a vote the motion carried 8-0. The City of Medicine Lake was absent from the vote.

[Chair Cesnik arrived and began chairing the meeting.]

5. BUSINESS

A. Review Draft Feasibility Study for Plymouth Creek Restoration Project

Commission Engineer Chandler introduced the Barr staff who worked on this project including Gabby Campagnola (present at the meeting) and Jessica Olson (joining the meeting via Zoom). Engineer Chandler reviewed the project location – a 7,000-foot stretch of Plymouth Creek from Dunkirk Lane to 38th Avenue N, behind the Plymouth Ice Center. She showed photos of examples of erosion along the creek and described some of the existing conditions. She noted the project area was broken into four different reaches and that Reach 2 is adjacent to Plymouth Creek Elementary School so there may be some educational opportunities. She noted there is a bike path along much of the creek within the project area. Engineer Chandler reviewed the project goals including reducing erosion (thus improving water quality in the creek and downstream in Medicine Lake), expanding and improving buffer areas, grading the streambank in some places so the creek can access the floodplain, and removing accumulated sediment from a few areas within the creek.

[Alternate Commissioner Kennedy arrives.]

Commission Engineer Chandler reviewed the positive feedback gathered from residents at the public open house and she reviewed various stabilization methods. Engineer Chandler reported that, similar to the Main Stem Restoration Project feasibility study, specific areas of erosion were prioritized as high, medium, or low with criteria that included severity of erosion, property ownership, education potential, access, etc.

Commission Engineer Chandler also reviewed the engineer's recommendation to create a meander in a section of the creek that had been straightened in the past. She noted that meandering the creek had benefits including increasing stream length and sinuosity, lowering velocities, increasing resilience to storm events, enhancing instream and riparian habitat, and enhancing floodplain connectivity.

There was discussion and questions about private property impacts, the benefits of the meander, and whether the function or value of wetlands would be impacted. TAC Member Scharenbroich (Plymouth) reported that much of the project area was in city drainage and utility easement and this type of work is allowed by the city in the easement. Commissioner Welch disagreed with Mr. Scharenbroich but indicated that if the city implements the project, it would be their responsibility to get the appropriate permissions. Engineer Chandler noted the new meander would allow water to spread into the wetland area during high flows.

Commission Engineer Chandler reported on the recommended removal of sediment in two areas where accumulated sediment is impeding flows. She also reported that vegetation management, including buckthorn removal, and expanding and enhancing buffers (usually 25 – 40 feet) would extend throughout much of the project area. She noted that removal of healthy, desirable trees is minimized and that opening the tree canopy in some areas is warranted to establish native grasses and flowers. There was more discussion on tree removal. It was noted that grading of the streambanks sometimes requires tree removal.

Commission Engineer Chandler reviewed the pollutant removals and estimated costs for each option. Option 1 = restoring only high priority areas; Option 2 = restoring high and medium priority areas; Option 3 = restoring high, medium, and low priority areas. It was noted that adding the meander only increases project costs by \$300,000 for options 2 and 3. Pollutant removals range from 43.6 lbs/yr total phosphorus for option 1 to 148.4 lbs/yr total phosphorus for option 3. Engineer Chandler reported that all options have a good cost benefit ranging from \$900 to \$1,146 per pound of total phosphorus removed.

Commissioner Hauer asked how many storm sewers empty into the project area. TAC Member Scharenbroich answered 30. There was more discussion on easements needed from private property owners. TAC Member Scharenbroich reported that there has not been opposition to the project yet but that it's hard to predict if all easements will be secured. There was more discussion about the ability to use drainage and utility easements for this type of work. Commissioner Welch noted that he doesn't know of any litigation, but that drainage and utility easements are not defined in state law. Commission Attorney Sonsalla indicated that she represents many cities and that they often use drainage and utility easements for many different activities including this type of work.

Further discussion noted that the larger project could be ordered and scaled back during design if easements weren't secured, that vegetation management in the buffers mirrored the scale of buffer management in the recent Ponderosa Woods Stream Restoration Project, that the City of Plymouth will actively maintain the restored vegetation areas, and that the U.S. Army Corps of Engineers' stream mitigation credit is not being pursued here.

Commission Engineer Chandler noted the engineer's recommendation to implement Option 3 (restoration of all high, medium, and low priority areas), plus the meander. Commissioner Gwin-Lenth indicated his support for that recommendation noting that there appears to be benefit to including the stream meander and cost benefit to restoring all areas now, consistent with the Main Stem Restoration Project ordered last fall.

There was more discussion on including the meander in the project. Commissioner Polzin noted that it's an additional 10% cost without additional pollutant removal benefit. Commissioner Welch noted that there are natural resources benefits to the meander and that it would be a shame to work in a straightened stream and leave it straight rather than adding the natural meander back into the ecosystem. Various commissioners noted their support for the meander because of its benefit to floodplain connections. It was noted that educational signage was not included in the project costs, but the city could add signage through their own budget.

MOTION: Commissioner Chowhan moved to implement Option 3a to restore all high, medium, and low priority areas plus the meander. Commissioner Gwin-Lenth seconded the motion. Upon a vote the motion passed 9-0.

Commissioners agreed the feasibility study was complete and no changes were needed.

B. Consider Adoption of Land and Water Acknowledgement Statement

Chair Cesnik reported that she and Alternate Commissioner Gould had collaborated on the land and water acknowledgement statement. She noted it would be included in the 2025 Watershed Management Plan, posted on the BCWMC website, and used in other places, as appropriate. She noted that the statement is more comprehensive than some other statements. Commissioner Pentel indicated that the statement acknowledges that Native people consider humans to be part of and not separate from the natural world; that they are in relationship. Chair Cesnik agreed, indicating that personhood is more fluid and that all living things are family. Commissioner Pentel noted that the Plan Steering Committee may wish to revisit the BCWMC vision statement if the acknowledgement statement is adopted. There was some minor discussion on particular terms/words that could be changed in the statement including splitting the second sentence of the second paragraph into two sentences, and using “watershed” instead of “BCWMC” in the third paragraph.

MOTION: Commissioner Gwin-Lenth moved to adopt the land and water acknowledgment statement with the minor revisions noted. Alternate Commissioner Kennedy seconded the motion. Upon a vote the motion passed 9-0.

C. Discuss Study of Creek Co-naming Opportunities

Administrator Jester reported that it is appropriate for the Commission to use both the English and Dakota names for the creek in some documents and locations. She noted that, for instance, the Education Committee is recommending that both names be used on the new paper watershed map. She noted the 2025 Watershed Plan and the BCWMC website would also be good places to co-name the creek. She indicated that co-naming the creek right now is not an effort to formally rename the Commission or the creek (such as was done with Bde Mke Ska). There was discussion about the need for a policy or guidance language on where to co-name the creek, that there is a difference between the legal and casual name for the creek, and the possible need to have professional guidance on how to inform the community about the creek names.

There was agreement that the Education Committee, or perhaps a subset of that committee should discuss and develop recommendations for the Commission. TAC member Eckman expressed desire to be included in the group discussing the matter. Commission Engineer Chandler noted that other waterbodies in the watershed may also have Dakota names.

MOTION: Commissioner Sicora moved to approve development of a policy statement by the Education Committee on how and where waterbodies should be co-named. Commissioner Chowhan seconded the motion. Upon a vote the motion passed 9-0.

[Chair Cesnik called for a 5-minute break.]

[Alternate Commissioner Kennedy left the meeting.]

D. Discuss Commission Review of Wetland Impacts and Buffers

Chair Cesnik opened the discussion asking if this item belongs in the Plan Steering Committee or Technical Advisory Committee (TAC). Commissioner Pentel noted that it seems like a TAC item and that it would be good to know how cities already handle wetland issues, hoping to avoid duplication.

Commission Engineer Chandler gave an overview noting there are two different issues to consider: BCWMC involvement in assessing wetland impacts and BCWMC buffer requirements for streams and wetlands. She briefly reviewed the various options of how BCWMC involvement in these issues could be handled in the future and recommended that the Plan Steering Committee consider options during development of the 2025 Watershed Management Plan.

Commissioner Welch noted his appreciation in separating the two issues. He wondered how cities were enforcing the BCWMC buffer requirements, noting that there is never a report on how, where, or if the buffer standards are being enforced. He indicated that the BCWMC-city partnership in enforcing certain standards is important to assess and will inform the 2025 Plan. He recommended that BCWMC staff prepare a report, for the purposes of planning, on how buffer requirements are being enforced. TAC member Eckman indicated his support for that exercise and

noted that perhaps the TAC could weigh in. He advocated for setting aside the wetland impacts item as the State Wetland Conservation Act is in place to address wetland impacts. He also noted that establishing buffers is often a negotiation with developers and takes considerable time. If the Commission Engineer were to take on that role, it may cost considerably more than the \$500 included in the memo.

Administrator Jester committed to polling the member cities to better understand how, when, and where BCWMC buffer standards are being enforced.

E. Receive Update from Plan Steering Committee

Administrator Jester reviewed the progress of the committee as laid out in the progress tracking memo with meeting materials. Administrator Jester noted the Commission should hold another Plan Development Workshop this summer and took a poll on which meeting would work best. It appeared that the August 15th Commission meeting would work best to incorporate a workshop.

F. Receive Update from Budget Committee

Committee member Polzin reported that the committee is working through various budgets and scenarios. She reported that city assessments are likely proposed to increase by a modest amount (although they originally looked to be considerably higher). She noted the committee is also working to establish a policy and/or mechanism for a maintenance levy through the county. She reported a recommended budget would come to the June Commission meeting. Administrator Jester reported that a staff capacity needs statement would also likely be presented in June.

6. COMMUNICATIONS

A. Administrator’s Report

- i. Minnesota Watersheds Summer Tour – Approval for commissioners and alternates to attend (and Administrator Jester) was included with the consent agenda. Administrator Jester noted that the summer tour moves around the state but is being held in St. Paul this year so it’s a good opportunity to attend. She noted she and Commission Engineer Wilson would be giving a talk on the Parkers Lake Chloride Reduction Project during the education sessions at the event.
- ii. Update on Sweeney Lake Eurasian Watermilfoil Eradication Project – EWM was finally tall enough to be surveyed and treated on Wednesday.

B. Engineer – No report

C. Legal Counsel – No report

D. Chair – Chair Cesnik reported that the proposed no wake section in Medicine Lake was opposed by some residents and but is under discussion again.

E. Commissioners – No report

F. TAC Members – Commissioner Pentel was appointed as TAC liaison to June 12th TAC meeting. There was discussion about comments on the JPA due from member cities by June 10th.

G. Committees – Budget Committee meets May 20th; Education Committee meets June 26th

7. INFORMATION ONLY

A. Administrative Calendar

B. CIP Project Updates www.bassettcreekwmo.org/projects

C. Grant Tracking Summary and Spreadsheet

D. [Sun Post Article on Sochacki Park Water Quality Improvement Project](#)

E. Bassett Creek Pollutant Trend Update 2000 – 2020 by Met Council

F. WCA Notice, Plymouth

8. ADJOURNMENT - The meeting adjourned at 11:01 a.m.

Bassett Creek Watershed Management Commission						
Statement of Financial Position as of 06/20/2024						
Unaudited				400	100	
				Capital Improvement Projects	General Fund	TOTAL
ASSETS						
Current Assets						
Checking/Savings						
		· 101 · Checking	-1,533,697.11	2,282,752.67	749,055.56	
		· 102 · 4MP Fund Investment	3,501,986.62	317,948.01	3,819,934.63	
		· 103 · 4M Fund Investment	3,533,650.36	-31,448.22	3,502,202.14	
		Total Checking/Savings	5,501,939.87	2,569,252.46	8,071,192.33	
Accounts Receivable						
		· 111 · Accounts Receivable	0.00	600.67	600.67	
		· 112 · Due from Other Governments	52,806.40	-0.26	52,806.14	
		· 113 · Delinquent Taxes Receivable	11,396.55	0.00	11,396.55	
		Total Accounts Receivable	64,202.95	600.41	64,803.36	
Other Current Assets						
		· 114 · Prepays	0.00	2,978.75	2,978.75	
		· 116 · Undeposited Funds	0.00	1,500.00	1,500.00	
		Total Other Current Assets	0.00	4,478.75	4,478.75	
		Total Current Assets	5,566,142.82	2,574,331.62	8,140,474.44	
TOTAL ASSETS				5,566,142.82	2,574,331.62	8,140,474.44
LIABILITIES & EQUITY						
Liabilities						
Current Liabilities						
Accounts Payable						
		· 211 · Accounts Payable	14,222.50	121,502.42	135,724.92	
		Total Accounts Payable	14,222.50	121,502.42	135,724.92	
Other Current Liabilities						
		· 212 · Unearned Revenue	438,823.00	0.00	438,823.00	
		· 251 · Unavailable Rev - property tax	11,396.55	0.00	11,396.55	
		Total Other Current Liabilities	450,219.55	0.00	450,219.55	
		Total Current Liabilities	464,442.05	121,502.42	585,944.47	
		Total Liabilities	464,442.05	121,502.42	585,944.47	
Equity						
		· 311 · Nonspendable prepaids	0.00	2,978.75	2,978.75	
		· 312 · Restricted for improvements	4,562,582.00	0.00	4,562,582.00	
		· 315 · Unassigned Funds	0.00	375,424.57	375,424.57	
		· 32000 · Retained Earnings	1,639,476.55	458,540.74	2,098,017.29	
		Net Income	-76,358.79	484,974.23	408,615.44	
		Total Equity	6,125,699.76	1,321,918.29	7,447,618.05	
TOTAL LIABILITIES & EQUITY				6,590,141.81	1,443,420.71	8,033,562.52
UNBALANCED CLASSES				-1,023,998.99	1,130,910.91	106,911.92

Bassett Creek Watershed Management Commission				
Actual vs Budget Year to Date Comparison - General Fund				
6/20/2024				
Unaudited				
	Annual Budget	June	Year to Date	Budget Balance
Ordinary Income/Expense				
Income				
411 · Assessments to Cities	622,500.00	0.00	622,500.00	0.00
412 · Project Review Fees	77,000.00	6,500.00	26,226.13	50,773.87
413 · WOMP Reimbursement	5,000.00	4,500.00	4,500.00	500.00
414 · State of MN Grants	0.00	0.00	0.00	0.00
415 · Investment earnings	0.00	32,484.69	125,530.69	-125,530.69
416 · TRPD Reimbursement	5,000.00	0.00	0.00	5,000.00
417 · Transfer from LT & CIP	227,840.00	0.00	0.00	227,840.00
418 · Property Taxes	0.00	0.00	0.00	0.00
419 · Insurance Dividend	0.00	0.00	0.00	0.00
Total Income	937,340.00	43,484.69	778,756.82	158,583.18
Expense				
1000 · Engineering				
1010 · Technical Services	145,000.00	17,839.50	58,095.00	86,905.00
1020 · Development/Project Reviews	90,000.00	5,668.00	19,661.00	70,339.00
1030 · Non-fee and Preliminary Reviews	30,000.00	4,044.50	14,148.00	15,852.00
1040 · Commission and TAC Meetings	15,000.00	714.00	5,911.50	9,088.50
1050 · Surveys and Studies	15,000.00	0.00	0.00	15,000.00
1060 · Water Quality / Monitoring	186,900.00	14,132.41	48,388.52	138,511.48
1070 · Water Quantity	9,000.00	1,262.50	3,210.00	5,790.00
1080 · Annual Flood Control Inspection	85,000.00	2,021.00	2,630.50	82,369.50
1090 · Municipal Plan Review	2,000.00	0.00	0.00	2,000.00
1100 · Watershed Monitoring Program	26,500.00	3,966.58	9,456.19	17,043.81
1110 · Annual XP-SWMM Model Updates	3,000.00	0.00	148.00	2,852.00
1120 · TMDL Implementation Reporting	0.00	0.00	0.00	0.00
1130 · APM/AIS Work	40,000.00	7,099.25	12,913.65	27,086.35
1140 · Erosion Control Inspections	0.00	0.00	0.00	0.00
1000 · Engineering - Other	0.00	0.00	0.00	0.00
Total 1000 · Engineering	647,400.00	56,747.74	174,562.36	472,837.64
2000 · Plan Development				
2010 · Next Gen Plan Development	47,650.00	10,437.00	31,428.50	16,221.50
2000 · Plan Development - Other	0.00	0.00	0.00	0.00
Total 2000 · Plan Development	47,650.00	10,437.00	31,428.50	16,221.50
3000 · Administration				
3010 · Administrator	78,750.00	4,912.50	23,456.25	55,293.75
3020 · MAWD Dues	7,500.00	0.00	0.00	7,500.00
3030 · Legal	26,520.00	2,547.05	11,714.70	14,805.30
3040 · Financial Management	17,000.00	1,334.00	5,336.00	11,664.00
3050 · Audit, Insurance & Bond	18,700.00	16,533.00	16,533.00	2,167.00
3060 · Meeting Catering	2,400.00	197.53	946.87	1,453.13
3070 · Administrative Services	2,570.00	428.12	1,288.18	1,281.82
3000 · Administration - Other	0.00	0.00	0.00	0.00
Total 3000 · Administration	153,440.00	25,952.20	59,275.00	94,165.00
4000 · Education				
4010 · Publications / Annual Report	1,200.00	0.00	1,008.50	191.50
4020 · Website	1,600.00	0.00	0.00	1,600.00
4030 · Watershed Education Partnership	18,350.00	350.00	14,850.00	3,500.00
4040 · Education and Public Outreach	28,000.00	135.23	2,455.23	25,544.77
4050 · Public Communications	1,000.00	0.00	0.00	1,000.00
4000 · Education - Other	0.00	0.00	0.00	0.00
Total 4000 · Education	50,150.00	485.23	18,313.73	31,836.27
5000 · Maintenance				
5010 · Channel Maintenance Fund	25,000.00	0.00	0.00	25,000.00
5020 · Flood Control Project Long-Term	35,000.00	0.00	0.00	35,000.00
5000 · Maintenance - Other	0.00	0.00	0.00	0.00
Total 5000 · Maintenance	60,000.00	0.00	0.00	60,000.00
Total Expense	1,044,040.00	94,523.67	283,579.59	675,060.41

Bassett Creek Watershed Management Commission					
Actual vs Budget Year to Date Comparison - Construction in Progress					
6/20/2024					
Unaudited					
	Project Budget	June	Year to Date	Inception to Date Expense	Remaining Budget
Ordinary Income/Expense					
Income	0.00	0.00	0.00	0.00	0.00
· BC2,3,8 · DeCola Ponds B&C Improve	0.00	0.00	0.00	0.00	0.00
· BC23810 · Decola Ponds/Wildwood Park	0.00	0.00	0.00	0.00	0.00
· BC5 · Bryn Mawr Meadows	0.00	0.00	0.00	0.00	0.00
· BC7 · Main Stem Dredging Project	0.00	0.00	0.00	0.00	0.00
· BCP2 · Bassett Creek Park & Winnetka	0.00	0.00	0.00	0.00	0.00
· CL3 · Crane Lake Improvement Project	0.00	0.00	0.00	0.00	0.00
· CRM · Main Stem Cedar Lk Rd-Dupont	0.00	0.00	0.00	0.00	0.00
· Fld1 · Flood Control Long Term Maint	0.00	0.00	0.00	0.00	0.00
· Flood1 · Emergency FCP Income	0.00	0.00	0.00	0.00	0.00
· LT1 · Metro Blooms Harrison Nghbr CWF	0.00	0.00	0.00	0.00	0.00
· ML12 · Medley Park Stormwater Treatment	0.00	0.00	0.00	0.00	0.00
· ML21 · Jevne Park Stormwater Mgmt	0.00	0.00	0.00	0.00	0.00
· NL2 · Four Seasons Mall Area	0.00	0.00	0.00	0.00	0.00
· Qual · Channel Maintenance Fund	0.00	0.00	0.00	0.00	0.00
· SL1,3 · Schaper Pond Enhancement	0.00	0.00	0.00	0.00	0.00
· SL8 · Sweeny Lake Water Quality	0.00	0.00	0.00	0.00	0.00
· TW2 · Twin Lake Alum Treatment	0.00	0.00	0.00	0.00	0.00
· WST2 · Westwood Lake Water Quality	0.00	0.00	0.00	0.00	0.00
Total Income	0.00	0.00	0.00	0.00	0.00
Expense					
· 1000 · Engineering	0.00	0.00	0.00	0.00	0.00
· 2024CR-M · CIP-BS Main Stem Restore	1,941,000.00	372.00	1,771.00	87,266.39	1,853,733.61
· 2026CR-P · Plymouth Creek Restor Dunk 38th	0.00	12,661.00	65,457.71	107,911.58	-107,911.58
· BC-12 · CIP-CostShare Pur High Eff St S	150,000.00	0.00	0.00	0.00	150,000.00
· BC-14 · CIP-Sochacki Pk Wter Quality Im	600,000.00	0.00	0.00	0.00	600,000.00
· BC-238 · CIP-DeCola Ponds B&C	1,600,000.00	0.00	0.00	1,507,985.31	92,014.69
· BC-2381 · CIP-DeCola Ponds/Wildwood Pk	1,300,000.00	0.00	0.00	77,749.39	1,222,250.61
· BC-5 · CIP-Bryn Mawr Meadows	1,835,000.00	507.00	3,690.08	750,162.06	1,084,837.94
· BC-7 · CIP-Main Stem Lagoon Dredging	2,759,000.00	0.00	197.50	1,589,533.34	1,169,466.66
· BCP-2 · CIP- Basset Cr Pk & Winnetka	1,123,351.00	0.00	0.00	1,075,698.32	47,652.68
· ML-12 · CIP-Medley Park Stormwater	1,500,000.00	0.00	0.00	98,218.61	1,401,781.39
· ML-20 · CIP-Mount Olive Stream Restore	178,100.00	0.00	0.00	178,100.00	0.00
· ML-21 · CIP-Jevne Park Stormwater Mgmt	500,000.00	0.00	0.00	56,390.75	443,609.25
· ML-22 · CIP-Ponderosa Wood Strm Restora	352,000.00	0.00	0.00	43,789.81	308,210.19
· NL-2 · CIP-Four Seasons Mall	990,000.00	0.00	0.00	204,215.06	785,784.94
· PL-7 · CIP-Parkers Lake Stream Restore	485,000.00	682.50	3,313.50	237,566.62	247,433.38
· SL-3 · CIP-Schaper Pond	612,000.00	0.00	1,929.00	490,070.96	121,929.04
· SL-8 · CIP-Sweeney Lake WQ Improvement	568,080.00	0.00	0.00	568,064.13	15.87
· TW-2 · CIP-Twin Lake Alum Treatment	163,000.00	0.00	0.00	91,037.82	71,962.18
Total Expense	16,656,531.00	14,222.50	76,358.79	7,163,760.15	9,492,770.85



Memorandum

To: Bassett Creek Watershed Management Commission (BCWMC)
From: Barr Engineering Co. (Barr) (Jim Herbert, PE; Gabby Campagnola)
Subject: Item 4E: BNSF Bridge Replacement – Minneapolis, MN
BCWMC June 20, 2024 Meeting Agenda
Date: June 13, 2024
Project: 23270051 1020 2307

4E BNSF Bridge Replacement– Minneapolis, MN BCWMC 2022-27

Summary:

Proposed Work: Railroad bridge replacement

Project Proposer: BNSF

Project Schedule: Quarter 3 2024 construction

Basis for Review at Commission Meeting: Proposed crossing and work in the floodplain

Impervious Surface Area: No change

Recommendation for Commission Action: Approval

General Project Information

The proposed project is located along the Main Stem of Bassett Creek, northwest of the intersection of Chestnut Avenue West and Penn Avenue North in Minneapolis. The work includes removing the existing super-structure and placing precast concrete structures onto the existing piers with an on-track crane, resulting in 0 acres of disturbance and no change in impervious surface from existing to proposed.

This project was reviewed and conditionally approved at the April 20, 2023 BCWMC meeting based on the following conditions:

1. The following updates must be made to the XPSWMM models:
 - a. The cross section of link LBCD041.C in the corrected effective model and proposed model must be modified to include the three individual piers of the bridge, instead of the one pier.
 - b. Link LBCD041.OF in the proposed model must be modified to represent the new overflow based on the proposed bridge height.
2. The Requirements Document states that the lowest member of all crossings shall be at least one foot above the floodplain to prevent debris accumulation. The BCWMC is concerned about debris accumulation due to the restriction of flows. We acknowledge that there are limitations regarding the bridge reconstruction and modifying the lowest member to meet the Requirements Document. We request the applicant prepare and submit to the BCWMC

Engineer a maintenance plan to clear accumulated debris from the bridge to minimize potential flooding impacts.

In May 2023 the BCWMC engineer approved the bridge replacement plan because the applicant updated the XPSWMM models as requested and submitted a satisfactory maintenance plan. In April 2024 the BCWMC engineer received revised drawings that included changes to the abutment design, a revised floodplain cut/fill analysis for the project, and a proposed change to the 100-year high water elevation compared to the conditionally approved plans from the April 20, 2023 BCWMC meeting. This memorandum summarizes the new proposed bridge design and how it meets the BCWMC requirements.

Floodplain

The proposed project includes work in the BCWMC 100-year floodplain. The 1% annual-chance (base flood elevation, 100-year) floodplain elevation along the Main Stem of Bassett Creek at the project site is 814.8 feet NAVD88 upstream of the bridge and 814.7 feet downstream of the bridge. The BCWMC Requirements for Improvements and Development Proposals (Requirements) document states that projects must meet the following criteria:

- Projects within the floodplain must maintain no net loss in floodplain storage.
- Projects within the floodplain must maintain no increase in flood level at any point along the trunk system (managed to at least a precision of 0.00 feet).
- The lowest member of all crossings shall be at least 1 foot above the floodplain to prevent debris accumulation unless approved by the BCWMC.

Floodplain Storage

The proposed project will result in approximately 20 cubic yard of floodplain cut due to removing the existing abutments and installing new abutments.

Floodplain Elevation (No Rise)

The BCWMC XPSWMM hydrologic and hydraulic model was used to estimate the existing and proposed conditions to demonstrate no rise in flood level along the creek. The BCWMC XPSWMM model was used to perform a relative comparison of the existing bridge and the new bridge at this location. Table 1 reports the 100-year high water elevation upstream and downstream of the bridge under existing and proposed conditions. The proposed project results in a change to the abutments that increases the conveyance area below the bridge, resulting in a more efficient crossing that slightly lowers the 100-year high water elevation upstream of the bridge. The proposed bridge does not impact the downstream 100-year high water elevation. Results shown in Table 1 demonstrate “no increase in flood level” when comparing the existing and proposed conditions.

Table 1: Comparison of Existing and Proposed 100-Year High Water Elevation

Location	100-Year Existing Flood Elevation (ft)	100-Year Proposed Flood Elevation (ft)	Increase in Flood Level from Proposed to Existing (ft)
Upstream of Bridge	814.79	814.78	-0.01
Downstream of Bridge	814.75	814.75	0.00

Lowest Crossing Member

The Requirements document states the lowest member of all crossings shall be at least 1 foot above the floodplain, unless approved by the BCWMC, to minimize obstruction of flood flows. Portions of the existing bridge deck and the proposed bridge are lower than the 100-year floodplain elevation. For the proposed project, the lowest member is 1.83 feet below the 100-year floodplain (compared to 2.25 feet for existing conditions). The conveyance area under the bridge will increase due to the proposed raising of the super structure by approximately 0.5 feet (the existing pier structures will remain in place). Given the constraints with the existing railroad track grade, it is not feasible for the applicant to raise the lowest member of the bridge to be at least 1 foot above the 100-year floodplain.

At its April 20, 2023 meeting the BCWMC recognized these constraints and approved allowing the lowest member of the bridge deck to be below the 100-year floodplain, but with the condition that the applicant submit a maintenance plan for removing accumulated debris.

Maintenance

The applicant’s consultant has provided the following statement regarding maintenance to remove debris from the bridge to address the BCWMC comments:

“BNSF regularly inspects its track, bridge, and culvert structures following internal, Federal Railroad Administration, and American Railway Engineering and Maintenance-of-Way Association guidelines and standards. The inspections are generally completed weekly (more frequent during periods of predicted high flow) and includes reviewing waterways for debris and ice buildup. If debris or ice is noted, BNSF mobilizes its on-track equipment (crane or backhoe with grapple) to complete removals.”

Lakes, Streams, and Wetlands

There are no wetland impacts as part of the project.

Rate Control

The proposed project does not create one or more acres of new or fully reconstructed impervious surfaces; therefore, BCWMC rate control review is not required.

To: Bassett Creek Watershed Management Commission (BCWMC)
From: Barr Engineering Co. (Barr) (Jim Herbert, PE; Gabby Campagnola)
Subject: Item 4E: BNSF Bridge Replacement – Minneapolis, MN
Date: June 13, 2024
Page: 4

Water Quality

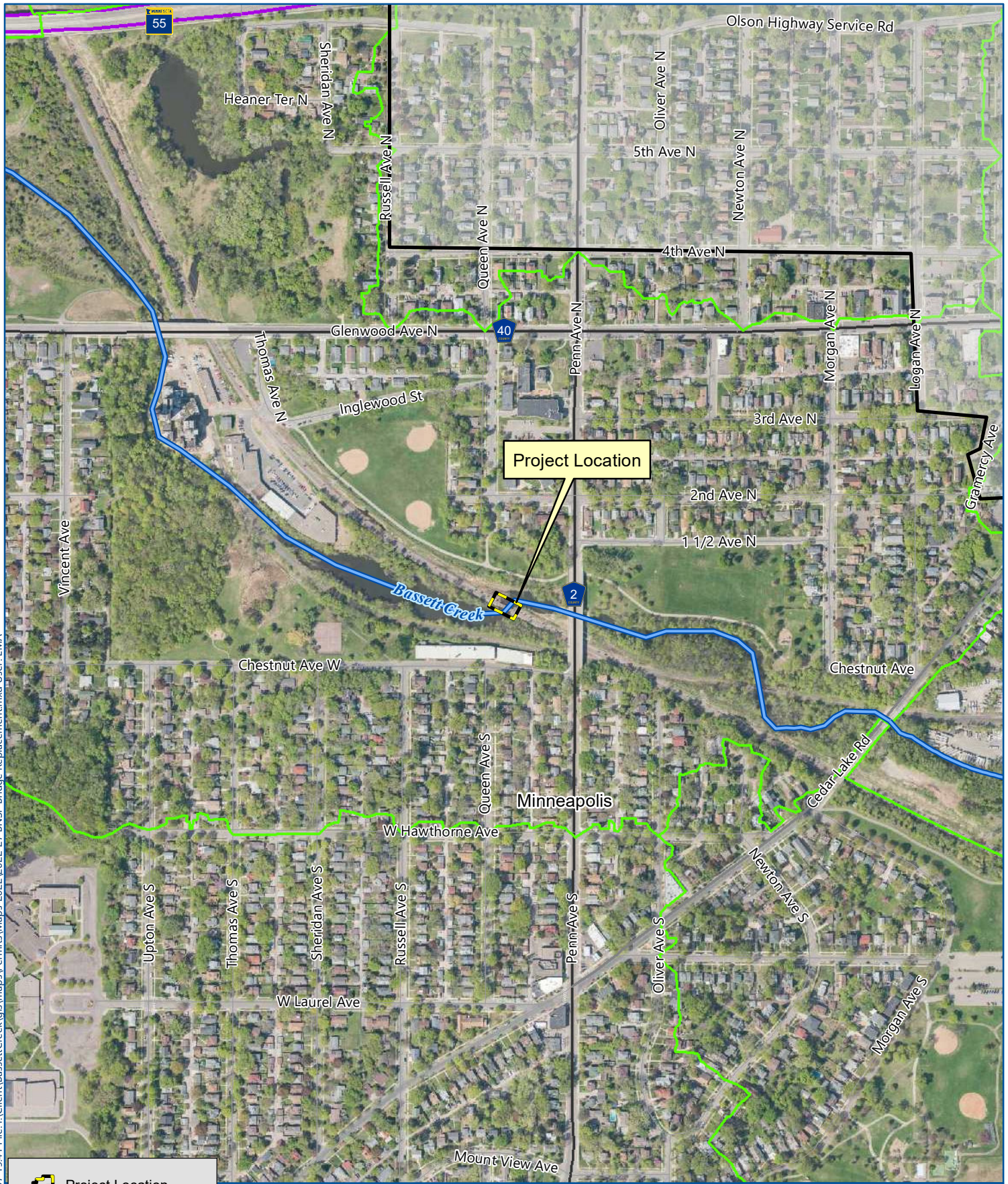
The proposed project does not create one or more acres of new or fully reconstructed impervious surfaces; therefore, BCWMC water quality review is not required.







Erosion and Sediment Control

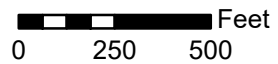
The proposed project does not result in more than 10,000 square feet of land disturbance; therefore, BCWMC erosion and sediment control review is not required.

Recommendation for Commission Action

Approval



-  Project Location
-  Municipality
-  BCWMC Legal Boundary
-  Major Subwatershed
-  BCWMC Hydrologic Boundary
-  Bassett Creek



BCWMC 2022-27
BNSF BRIDGE
REPLACEMENT
Minneapolis, MN

LOCATION MAP



Memorandum

To: Bassett Creek Watershed Management Commission (BCWMC)
From: Barr Engineering Co. (Barr) (Jim Herbert, PE; Gabby Campagnola)
Subject: Item 4F: Zane Avenue and Lindsay Street Improvements – Golden Valley, MN
BCWMC June 20, 2024 Meeting Agenda
Date: June 13, 2024
Project: 23270051 1020 2409

4F Zane Avenue and Lindsay Street Improvements – Golden Valley, MN BCWMC 2024-09

Summary:

Proposed Work: Street reconstruction including paving, concrete curb and gutter installation, concrete sidewalk installation, water main replacements, storm sewer improvements, sanitary sewer repairs and replacements, and signal replacements

Project Proposer: City of Golden Valley

Project Schedule: August 2024 to August 2025 construction

Basis for Review at Commission Meeting: Linear project with more than five acres of disturbance

Impervious Surface Area: Decrease approximately 0.31 acres

Recommendation for Commission Action: Approval

General Project Information

The proposed linear project is primarily within the Sweeney Lake subwatershed in the City of Golden Valley (see attached map for locations). The proposed linear project includes reconstruction of streets and utility improvements, including water main, sanitary sewer, and storm sewer, resulting in 5.63 acres of grading (disturbance). The proposed linear project creates 4.20 acres of fully reconstructed impervious surfaces. Overall, the project will result in a decrease of 0.31 acres of impervious surfaces, from 4.51 acres (existing) to 4.20 acres (proposed).

Floodplain

The proposed project does not involve work in the BCWMC 100-year floodplain; therefore, BCWMC floodplain review is not required.

Wetlands

There are no wetland impacts as part of the project.

To: Bassett Creek Watershed Management Commission (BCWMC)
From: Barr Engineering Co. (Barr) (Jim Herbert, PE; Gabby Campagnola)
Subject: Item 4F: Zane Avenue and Lindsay Street Improvements – Golden Valley, MN
Date: June 13, 2024
Page: 2

Rate Control

The proposed linear project does not create one or more acres of net new impervious surfaces; therefore, BCWMC rate control review is not required.

Water Quality

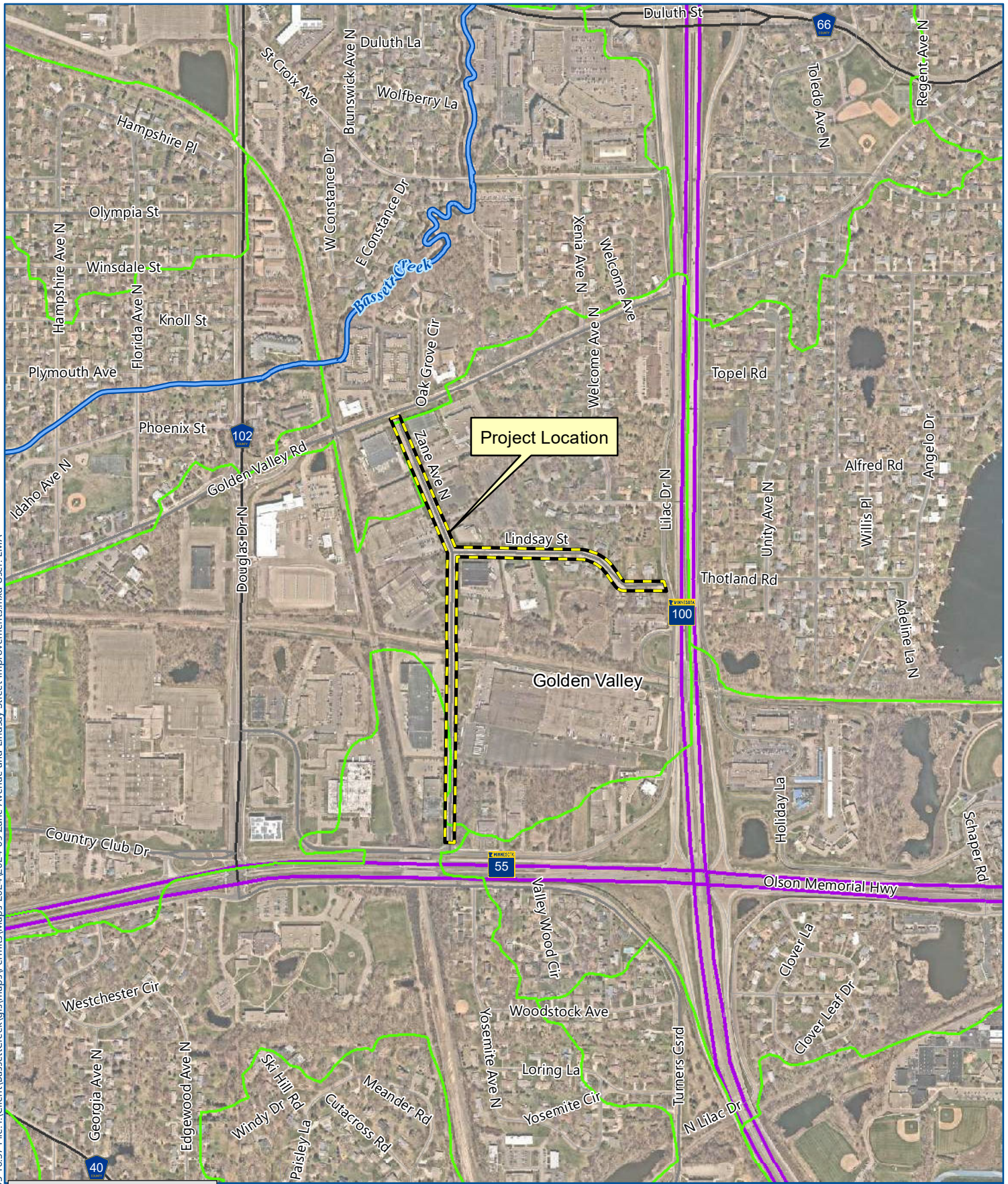
The proposed linear project does not create one or more acres of net new impervious surfaces; therefore, BCWMC water quality review is not required. However, the proposed linear project includes five manholes with four-foot-deep sumps and SAFL baffles to provide water quality treatment.

Erosion and Sediment Control

The proposed linear project results in one or more acres of land disturbance; therefore, the proposed project must meet the BCWMC erosion and sediment control requirements. Proposed temporary erosion and sediment control features include rock construction entrances, sediment control logs, silt fence, and storm drain inlet protection. Permanent erosion and sediment control features include stabilization with seeding.

Recommendation for Commission Action

Approval



Project Location

Golden Valley

- Project Location
- Municipality
- BCWMC Legal Boundary
- Major Subwatershed
- BCWMC Hydrologic Boundary



0 400 800 Feet



BCWMC 2024-09
ZANE AVENUE AND
LINDSAY STREET
IMPROVEMENTS
Golden Valley, MN

LOCATION MAP



Bassett Creek Watershed Management Commission

MEMO

To: BCWMC Commissioners and Alternate Commissioners
From: Administrator Jester
Date: June 12, 2024

RE: Comments from Member Cities on Proposed Revised Joint Powers Agreement (JPA)

At the April 18th Commission meeting, proposed language for an updated JPA was approved. (The final proposed draft is included with this month's meeting materials.) The proposed revised JPA and corresponding documents outlining the changes from the current JPA were sent to the member cities on April 19th. Cities were asked to provide comments by June 10th. To date, I have received comments from all cities except Golden Valley and Medicine Lake. These cities hope to provide comments before the Commission meeting which I will send to commissioners as soon as received.

The comments below are provided verbatim so that commissioners can review exact comments. At this meeting, the Commission should discuss the comments and provide direction to staff on how to proceed.

<p>Crystal</p> <p>The only comment at this time is we feel the watershed should not have authority to compensate commissioners.</p>
<p>Golden Valley</p> <p>No comments to date</p>
<p>Medicine Lake</p> <p>No comments to date</p>
<p>Minneapolis</p> <p>Section 1.3: please add an additional definition for "Act": the Metropolitan Surface Water Management Program (referenced in 1.3 e)</p> <p>Regarding the term: The City of Minneapolis agrees that the term should be decoupled from the LSWMP [local surface water management plan] schedule of every ten years. The City supports a time frame for the JPA of least 8 years and no more than 12 years. This will allow for an organization analysis to be completed and to thoroughly understand and draft future changes to the JPA to support organizational change without being "under the gun" to sign a new agreement.</p>

Minnetonka

Substantive:

5.2 Member Contributions – while no revision is suggested, this is a bit unclear. A potential wording could be useful. Below is a suggestion:

*Each Member agrees to contribute each year to a fund to be used for general administration purposes including, but not limited to: salaries, rent, supplies, development of the Watershed Management Plan, engineering and legal expenses, insurance, and bonds, and to purchase and maintain any personal property deemed necessary by the Commission in furtherance of its purposes and powers as articulated in this Agreement. Said funds may also be used for normal maintenance of any facilities, but any extraordinary maintenance or repair expense will be treated as an improvement cost and processed in accordance with section 5.3 of this Agreement. **Fifty percent (50%) of the annual budget for the general administration fund shall be allocated among the Members based upon the net tax capacity of all property within the Member’s boundaries compared to the net tax capacity of all property within the Watershed, and the remaining fifty percent (50%) shall be allocated among the Members based on the total area of each Member that lies within the boundaries of the Watershed compared to the total area of all property in the Watershed. In no event will any assessment hereunder require a contribution to exceed one-half of one percent of the net tax capacity within the Watershed.***

Typos/grammar:

4.1(a)(6) – or “any” public or private organization

4.3(d) by “Hennepin County” not “County’s”

5.5(b) – all the other clauses use complete sentences and this one does not. Consider: Members who have lands in the subdistrict that is responsible for a capital improvement may negotiate an amount to be contributed by each Member.

New Hope

Following review by the city attorney, New Hope is in agreement with the proposed changes as presented in the JPA update documents and have no further comments at this time.

Plymouth

Section 3.3 – Compensation and Expenses

Historically all boards and commissions in Plymouth, including watersheds, are not paid positions. If one watershed is proposing to pay people serving in a volunteer position that is not consistent with our practices.

- Plymouth would respectfully request the language proposing to compensate commissioners be removed.

Section 4.3(b) – Projects implemented by Members and Others

This section appears to allow for member cities to not participate in projects that are occurring within the boundaries of their city.

- Plymouth would request wording to be added that member cities must approve or support a project occurring within their community for the commission to do a project. We support the commission doing work, however support from the member community is important to have.

Section 4.1(a)(7) and (8) – Ordering Members to Perform Specific Actions

What are the limits of this power and authority to require members to change/construct drainage systems? What is the process for an order, and is there a petition process?

Section 4.3(f), paragraph 2

Why is this provision needed?

Robbinsdale

The City of Robbinsdale discussed the proposed Bassett Creek JPA during the May 15th Work Session. The main discussion revolved around the proposed Section 3.3. The City does not support the proposed language relating to Commissioner compensation. The opposition to this language is as follows –

- City Code Sections 320.01 Subd 2 and 320.03 Subd 2, specifically identify that Planning Commissioners, Parks, Recreation and Forestry Commissioners and Human Rights Commissioners serve without compensation. While it is noted that these City Code sections refer to specific Commissions, the City seeks to maintain a consistent message across its Commissions.
- The proposed Bassett Creek JPA Section 3.3 language is out of step with the proposed Shingle Creek JPA language (renewal also required by the end of the year) that maintains similar language to the existing Section 5 Subd 6, related to compensation for Commissioners.
- The proposed Bassett Creek JPA Section 3.3 language takes away control of this issue from individual Member cities which is considered undesirable.
- The proposed Bassett Creek JPA Section 3.3 language allowing greater autonomy and independence in compensating Commissioners would be effectively allowing the Commission to establish paying itself without further checks and balances from the City.
- The payment of compensation to Commissioners would cause an increase in City Assessments.
- The City acknowledges the contributions and dedication of all its Commissioners, however it is noted that Commissioners are not publicly elected or held to the same public account as City Council Members with regard to expenditure of City funds.

Therefore, it is the City’s desire to keep the existing language found in Section 5 Subd 6 where compensation of Commissioners remains wholly at the discretion of the Member City.

St. Louis Park

The revised provision in section 3.3 appears to allow an individual member city discretion to pay its own commissioners (and alternates), which raises a few questions:

- Is this compensation to be paid by the member cities to its own commissioners?
- Would the member city paid compensation be in addition to any amounts set by the board, in addition to reimbursements?

- What if the commission sets commissioner compensation at zero, or a nominal amount, does this mean that some commissioners may be paid in varying amounts, or not paid at all?
 - If so, this raises equability questions.

**JOINT POWERS AGREEMENT
FOR THE ESTABLISHMENT AND CONTINUED OPERATION OF THE
BASSETT CREEK WATERSHED MANAGEMENT COMMISSION**

THIS JOINT POWERS AGREEMENT (“**Agreement**”) is made and entered into by and among the cities of Crystal, Golden Valley, Medicine Lake, Minneapolis, Minnetonka, New Hope, Plymouth, Robbinsdale, and St. Louis Park, all Minnesota municipal corporations. The member cities may hereafter be referred to individually as a “**Member**” or collectively as the “**Members.**”

RECITALS

- A. In 1968, the Members, all of which have lands which drain surface water into Bassett Creek, and all of which have power to construct, reconstruct, extend and maintain storm water management facilities, elected to exercise their authority to adopt a joint powers agreement to establish the Bassett Creek Flood Control Commission to cooperatively manage and plan for the management of surface water within the Bassett Creek watershed (“**Watershed**”).
- B. In 1982, the Minnesota legislature passed the Metropolitan Area Surface Water Management Act requiring local government units in the metropolitan area to plan for and manage surface water through watershed management (Minnesota Statutes, section 103B.201 to 103B.255) (“**Act**”).
- C. Under the Act, one of the options available to local government units to satisfy the requirements of the Act is to enter into a joint powers agreement pursuant to Minnesota Statutes, section 471.59 to establish a watershed management organization to jointly plan for and manage surface water within a watershed.
- D. In compliance with the Act, the original Bassett Creek Flood Control Commission amended its joint powers agreement and became the Bassett Creek Watershed Management Commission (“**Commission**”). Over time, the joint powers agreement has been updated and amended, and the terms and conditions of the current joint powers agreement expire on January 1, 2025.
- E. The Members previously established the board of commissioners of the Commission (“**Board**”) and desire for said Board to be reaffirmed as the entity charged with the authority and responsibility to manage the Commission.
- F. The Board has previously acted to adopt a watershed management plan (“**Watershed Management Plan**”) for the watershed and has regularly updated and carried out said Watershed Management Plan in accordance with the Act.
- G. The Members desire to enter into this Agreement to reaffirm the Commission and the Board in furtherance of its efforts to continue working cooperatively to prepare and administer a surface water management plan to manage surface water within the Watershed, in accordance with the Act and Minnesota Rules, chapter 8410, and to carry out all additional functions and responsibilities described herein.

AGREEMENT

In consideration of the mutual promises and agreements contained herein, the Members mutually agree as follows:

SECTION I ESTABLISHMENT, GENERAL PURPOSE, AND DEFINITIONS

1.1 Reaffirming the Establishment. The Members hereby reaffirm and continue the establishment of the “Bassett Creek Watershed Management Commission” pursuant to their authority under the Act and Minnesota Statutes, section 471.59. The Commission will continue to operate as a duly formed joint powers watershed management organization in accordance with said laws, applicable rules, and this Agreement.

1.2 General Purpose. The general purpose of this Agreement is to continue the Commission and the Board, which the Members previously established, to jointly and cooperatively adopt, administer, and update, as necessary, the Watershed Management Plan, and to carry out the following express purposes:

- (a) serve as the watershed management organization for the Watershed and carry out all of the duties and responsibilities outlined in the Act;
- (b) investigate, study, plan and control the construction of facilities to drain or pond storm waters to alleviate damage by flood waters;
- (c) protect, preserve, and use natural surface water and groundwater storage and retention systems;
- (d) minimize public capital expenditures needed to correct flooding and water quality problems;
- (e) identify and plan for means to effectively protect and improve surface water and groundwater quality;
- (f) establish more uniform local policies and official controls for surface water and groundwater management;
- (g) prevent erosion of soil into surface water systems;
- (h) promote groundwater recharge;
- (i) improve the creek channel for drainage;
- (j) assist in planning for land use;

- (k) protect and enhance fish and wildlife habitat and water recreational facilities;
- (l) repair, improve, relocate, modify, consolidate or abandon, in whole or in part, drainage systems within the Watershed;
- (m) secure the other benefits associated with the proper management of surface water and groundwater;
- (n) assist in water conservation and the abatement of surface water and groundwater contamination and water pollution;
- (o) assist the Members in the preservation and use of natural water storage and retention systems;
- (p) promote and encourage cooperation among member cities in coordinating local surface water and groundwater plans and to be aware of their neighbors' problems and to protect the public health, safety, and general welfare; and
- (q) continue the work of the Bassett Creek Water Management Commission and to carry out the plans, policies and programs developed by the Commission over time. All existing policies will remain in effect and may be amended by the Commission, as it determines may be necessary to achieve its purposes and objectives.

The plan and programs will operate within the boundaries of the Watershed as identified in the official map filed with the Minnesota Board of Soil and Water Resources, as it may be amended from time to time. The boundaries of the Watershed are subject to change utilizing the procedures set out in the Act, which may be necessary to better reflect the hydrological boundaries of the Watershed.

1.3 **Definitions.** For the purposes of this Agreement, and in addition to any other terms expressly defined elsewhere throughout, the following terms have the meanings given them below.

- (a) *Board.* The board of commissioners of the Commission, consisting of one Commissioner or one Alternate Commissioner from each Member, and which is the governing body of the Commission.
- (b) *Commission.* The organization created by this Agreement, the full name of which is the "Bassett Creek Watershed Management Commission," a duly formed joint powers watershed management organization under Minnesota law.
- (c) *Member.* A Minnesota municipal corporation which enters into this Agreement, each of which are expressly listed in section 2.1.
- (d) *Voting Commissioner.* A Commissioner or Alternate Commissioner present during a Board meeting with voting rights. Pursuant to section 3.2(b) below, an Alternate

Commissioner only has voting rights in the event of absence or disability of their respective Commissioner. Each Voting Commissioner has one (1) vote on the Board.

- (e) *Watershed*. The area contained within a line drawn around the extremities of all terrain whose surface drainage is tributary to Bassett Creek and within the mapped areas delineated on the map filed with the Minnesota Board of Water and Soil Resources (“**BWSR**”) pursuant to the Act.

SECTION II MEMBERSHIP

2.1 Members. The following nine municipal corporations and parties to this Agreement, each of which is either partially or entirely located within the Watershed, are Members of the Commission: Crystal, Golden Valley, Medicine Lake, Minneapolis, Minnetonka, New Hope, Plymouth, Robbinsdale, and St. Louis Park.

2.2 Change in Boundaries. No change in governmental boundaries, structure, or organizational status will affect the eligibility of any Member listed above to be represented on the Commission, so long as such local government unit continues to exist as a separate political subdivision.

SECTION III BOARD OF COMMISSIONERS

3.1 Establishment. The Members hereby reaffirm the establishment and continued operation of the Board in accordance with the Act. The Board will carry out the purposes and have the powers as provided herein.

3.2 Board Appointments. The Commission is governed by the Board, which consists of representatives appointed by the nine Members in accordance with this section. More specifically, each Member to this Agreement must appoint one Commissioner and one Alternate Commissioner to the Board. Each Member’s governing body will determine the eligibility and qualifications of its representatives on the Board.

- (a) Commissioner. Each Member is responsible for appointing one person to serve as its primary representative (“**Commissioner**”) on the Board. Each Member is responsible for publishing a notice of a vacancy, whether resulting from expiration of its Commissioner position or otherwise, as required in Minnesota Statutes, section 103B.227, subdivision 2.
- (b) Alternate Commissioner. Each Member may also appoint one alternate representative (“**Alternate Commissioner**”) to the Board in the same manner required to appoint a Commissioner. A Member’s Alternate Commissioner may only vote on a matter before the Commission in the event of either absence or disability of the appointing Member’s Commissioner (in either event, the Alternate Commissioner is considered a Voting Commissioner). If the absent or disabled Commissioner is also an officer of the Board, the Alternate Commissioner will not be entitled to serve as such officer. If necessary,

the Board may select a current Commissioner to temporarily undertake the duties of the absent officer.

- (c) Term. All Commissioners and Alternate Commissioners will serve until their successors are selected and otherwise qualify, unless they resign or are removed earlier as provided herein. All Commissioners and Alternate Commissioners will serve three-year terms, and said terms will be staggered with expiration dates for those presently appointed remaining as follows:
- (1) The terms of the existing representatives appointed by the cities of Minneapolis, Minnetonka, and New Hope will expire on February 1, 2025.
 - (2) The terms of the existing representatives appointed by the cities of Plymouth, Robbinsdale, and St. Louis Park will expire on February 1, 2026.
 - (3) The terms of the existing representatives appointed by the cities of Crystal, Golden Valley, and Medicine Lake will expire on February 1, 2027.
- (d) Notices. A Member will provide the Commission written notice of its appointments, including the resolution making the appointments or a copy of the minutes for the meeting at which the appointments were made. The Commission will notify BWSR of appointments and vacancies within 30 days after receiving notice from the Member. Members must fill all vacancies within 90 days after the vacancy occurs.
- (e) Vacancies. A Member will notify the Commission in writing within 10 days of the occurrence of a vacancy in its Commissioner or Alternate Commissioner positions. The Commission will notify BWSR of the vacancy within 30 days of receiving the notice of a vacancy as required by Minn. Stat. § 103B.227, subd. 1. The Member will publish notice of any vacancy, whether by expiration of term or for any other reason, in accordance with Minn. Stat. § 103B.227, subd. 2, as it may be amended. The notices must state that those interested in being appointed to serve on the Commission may submit their names to the Member for consideration. The notice must be published at least 15 days before the Member's governing body acts to fill the vacancy. The governing body must make the appointment within 90 days from the occurrence of the vacancy. The Member will promptly notify the Commission of the appointment in writing. The appointed person will serve the unexpired term of the position.
- (f) Removal. The governing body of any Member may remove its respective Commissioner for just cause as provided in Minn. Stat. § 103B.227, subd. 3 and in accordance with Minn. R., part 8410.0040. If a Commissioner is an elected official, said governing body may remove the Commissioner if the Commissioner is not reelected. The governing body of any Member may remove its Alternate Commissioner with or without cause. The Member will notify the Board of any such removal in writing within 10 days of acting to remove the Commissioner or Alternate Commissioner, as the case may be. The Commission will notify BWSR of the vacancy

within 30 days of receiving such notice. The Member must act to fill the vacancy created by the removal within 90 days, as provided in this Agreement.

- (g) Suspension of Authority. The authority of a Commissioner or Alternate Commissioner to vote will be suspended if the appointing Member is more than 60 days delinquent in making any payments due to the Commission as provided by this Agreement. The voting authority will be reinstated once the Member pays all past due amounts.

3.3 Compensation and Expenses. The Board may set compensation rates and pay per-diem compensation to Commissioners and Alternate Commissioners. In addition, Commission funds may be used to reimburse Commissioners and Alternate Commissioners for expenses incurred in performing Commission business if authorized by the Board. Nothing in this section 3.3 prevents a Member from providing compensation for its Commissioner or Alternate Commissioner for serving on the Board, if such compensation is authorized by such Member's governmental unit and by law.

3.4 Board Officers; Duties. At its first regular meeting on or after February 1 of each year, the Board will elect from its Commissioners a Chair, Vice Chair, Secretary, and Treasurer. All such officers will hold office for a term of one (1) year and until their successors have been qualified and duly elected by the Board. An officer may serve only while a member of the Board. A vacancy in an officer position will be filled from the Commissioner membership by Board selection for the remainder of the unexpired term of such office. The officers will have the duties provided in the Commission bylaws.

3.5 Quorum. A majority of Voting Commissioners from the nine Member cities, i.e. representation of five Members, constitutes a quorum. Less than a quorum may adjourn a scheduled meeting. A simple majority of the quorum is required for the Board to act unless a higher number of votes is required by this Agreement or by law. If more than one Member has either a Board vacancy (both Commission and Alternate Commissioner) or its voting rights suspended, as provided herein, the number of Voting Commissioners required for a quorum will be reduced until the vacancy is filled or suspension lifted, as the case may be.

3.6 Meetings. The Board will conduct meetings in accordance with the Minnesota Open Meeting Law (Minn. Stat., chap. 13D) and this section.

- (a) Regular Meetings. The Board will develop a schedule of its regular meetings. The Board will post the schedule on the Commission's website and provide a copy to each Member. The Secretary will maintain a copy of the schedule of regular meetings. The Chair and Vice Chair may cancel a meeting due to a lack of business items. The Secretary will make a good faith effort to notify Commissioners and Alternate Commissioners of a meeting cancellation.
- (b) Special Meetings. The Board may hold such special meetings as it may determine are necessary to conduct the business of the Commission. A special meeting may be called by the Chair or by any two Commissioners. In addition to the notice requirements

provided in the Minnesota Open Meeting Law, the Secretary will provide notice of special meetings to the Commissioners and Alternate Commissioners.

- (c) Annual Organizational Meeting. The first regular meeting on or after February 1 of each year will constitute the annual organizational meeting of the Commission.
- (d) Rules of Procedure. The Board will conduct its meetings generally in accordance with the procedures set out in the most current version of Robert's Rules of Order without requiring strict conformance to its requirements. The Board may modify such rules as it determines is appropriate to facilitate the conducting of its business or adopt a different set of rules for its meetings. The Board may amend its rules from time to time as it determines is appropriate upon a majority vote of all Voting Commissioners. The Board may also waive one or more specific rules as it determines are necessary to facilitate the conducting of its business, except that statutory requirements may not be waived and voting authority provided hereunder may not be abrogated.

SECTION IV POWERS AND DUTIES OF THE BOARD

4.1 Powers. The Board is authorized to exercise the powers in this section to carry out the purposes of the Commission.

- (a) Powers Granted.
 - (1) It may contract with or employ such persons or entities as it deems necessary to accomplish its duties and powers. Any employee may be on a full-time, part-time, or consulting basis, as the Board determines.
 - (2) It may contract for facilities, materials, supplies, and services to carry on its activities.
 - (3) It may acquire necessary personal property to carry out its powers and its duties.
 - (4) It will prepare, adopt, and implement a watershed management plan and capital improvement program that fulfills the requirements of Minn. Stat. § 103B.231 and all other applicable laws and rules. In preparing said plan, the Board may consult with the engineering and planning staff of each Member and the Metropolitan Council and other public and private bodies to obtain and consider projections of land use, population growth, and other factors which are relevant to the protection and improvement of waters in the Watershed and mitigation of flood risk.
 - (5) It will make necessary surveys or utilize other reliable surveys and data and develop projects to accomplish the purposes for which it is organized.

- (6) It may cooperate or contract with the State of Minnesota, or any subdivision thereof, any federal agency, or and public or private organization to accomplish the purposes for which it is organized.
- (7) It may order any Member or Members to construct, clean, repair, alter, abandon, consolidate, reclaim or change the course or terminus of any ditch, drain, storm sewer, or water course, natural or artificial, within the Watershed.
- (8) It may order any Member or Members to acquire, operate, construct, or maintain dams, dikes, reservoirs and appurtenant works or other improvements necessary to implement the overall plan.
- (9) It will regulate, conserve, and control the use and management of storm and surface water and groundwater within the Watershed.
- (10) It may contract for or purchase such insurance as the Board deems necessary for the protection of the Commission.
- (11) It may establish and maintain devices acquiring and recording hydrological and water quality data within the Watershed.
- (12) It may enter upon lands to make surveys and investigations to accomplish the purposes of the Commission. The Commission shall be liable for actual damages resulting therefrom but every person who claims damages shall serve the chair or secretary of the Board with a notice of claim as required by Minn. Stat. § 466.05.
- (13) It will provide any Member with technical data or any other information of which the Commission has knowledge which will assist the governmental unit in preparing land use classifications or local water management plans within the Watershed.
- (14) It may provide legal and technical assistance in connection with litigation or other proceedings between one or more of its Members and any other political subdivision, commission, board or agency relating to the planning or construction of facilities to drain or pond storm waters or relating to water quality within the Watershed. The use of Commission funds for litigation will be only upon a favorable vote of a majority of Voting Commissioners.
- (15) It may accumulate reserve funds for the purposes herein mentioned and may invest funds of the Commission not currently needed for its operations, in the manner and subject to the laws of Minnesota applicable to statutory cities.
- (16) It may collect monies, subject to the provisions of this Agreement, from its Members, Hennepin County, and from any other source approved by a majority of its Board.

- (17) It may make contracts, incur expenses and make expenditures necessary and incidental to the effectuation of these purposes and powers and may disburse therefor in the manner hereinafter provided.
 - (18) It will cause to be made an annual audit of the books and accounts of the Commission by a certified public accountant or the State Auditor, and will transmit a copy of the annual audit to BWSR and, on request, a Member. Its books, reports, and records will be available for and open to inspection by the Members at all reasonable times.
 - (19) It will make and file a report to its Members at least once annually containing, at minimum, the following information: (i) the approved budget; (ii) a reporting of revenues; (iii) a reporting of expenditures; (iv) a financial audit report that includes a balance sheet, a classifications of revenues and expenditures, an analysis of changes in the final balances, and any additional statements considered necessary for full financial disclosure; (v) the status of all Commission projects and work within the Watershed; and (vi) the business transacted by the Commission and other matters which affect the interests of the Commission.
 - (20) It may recommend changes in this Agreement to the Members.
 - (21) It may exercise all other powers necessary and incidental to the implementation of the purposes and powers set forth herein and as outlined and authorized by Minn. Stat. §§ 103B.201 through 103B.251.
 - (22) It will cooperate with the State of Minnesota, the Commissioner of Natural Resources and the Director of the Division of Waters, Soils and Minerals of the Department of Natural Resources in complying with the requirements of Minn. Stat., chap. 103G.
 - (23) It will establish a procedure for establishing citizen or technical advisory committees and to provide other means for public participation.
- (b) Powers Reserved. The Board does not have any of the powers identified in this subsection (b). Expressly identifying specific powers reserved is not intended to expand, by negative implication, the powers granted above to the Board.
- (1) Eminent Domain. The Commission does not have the power of eminent domain. Any easements or other interests in land necessary for any Board-ordered project will be acquired as provided below.
 - (2) Real Property. The Commission may not own any interest in real property. All such interests, if necessary for any Board-ordered project, will be held in the name of a Member wherein said lands are located or another public or private entity, as the case may be.

- (3) Bonding. The Commission does not have the power to issue certificates, warrants or bonds.
 - (4) Special Assessments. The Commission does not have the power to levy a special assessment upon any privately or publicly owned land. All such assessments, if deemed necessary as part of a Board-ordered project, will be levied by the Member wherein said lands are located and in accordance with Minnesota Statutes, chapter 429. The Commission does, however, have the power to require any Member to contribute the costs allocated or assessed according to other provisions of this Agreement.
- (c) Members. For the avoidance of doubt, each Member reserves the right to conduct separate or concurrent studies on any matter under study by the Commission.

4.2 Collection or Diversion of Waters. Each Member agrees that it will not directly or indirectly allow the collection or diversion of any additional surface water to the Mississippi River or its tributaries without adherence to all Commission rules and requirements.

4.3 Projects.

- (a) The Board may undertake projects, including those provided in its capital improvement program, in accordance with the Watershed Management Plan. Prior to ordering any project or otherwise holding a public hearing as may be required under section 103B.251, the Commission will secure from its engineers or some other competent person a report advising as to whether the proposed improvement is feasible, whether it will best be made as proposed or in connection with some other improvement, the estimated cost of the improvement, and the proposed allocation of costs, including whether one or more Members will incur any such costs. A resolution setting forth the order for any capital improvement project requires a favorable vote by two-thirds of Voting Commissioners. When ordering any project, the Commission resolution will further include an allocation of costs for the project and a designation of which Member(s) or entity will contract for and fund the project. Such resolution may also designate the engineers to prepare plans and specifications.

Any Member aggrieved by the determination of the Board as to the allocation of the costs of a project has 30 days after the Commission resolution ordering the same to appeal said determination. Said appeal must be in writing and directed to the Board asking for arbitration. The determination of the Member's appeal will be referred to a Board of Arbitration. The Board of Arbitration will consist of three persons; one to be appointed by the Commission's Board, one to be appointed by the appealing Member, and the third to be appointed by the two persons so selected. In the event the two persons so selected do not appoint the third person within 15 days after their appointment, then the Chief Judge of the District Court of Hennepin County will have jurisdiction to appoint, upon application of either or both of the two earlier selected, the third person to the Board of Arbitration. The third person selected must not be a resident of any Member city and if appointed by the Chief Judge said person must be a

registered professional engineer. The arbitrators' expenses and fees, together with the other expenses, not including counsel fees, incurred in the conduct of the arbitration will be divided equally between the Commission and the appealing Member. Arbitration will be conducted in accordance with the Uniform Arbitration Act, Chapter 572B of Minnesota Statutes.

- (b) Projects Implemented by Members and Others. For any project that will be constructed by one or more Members on behalf of the Commission and reimbursed in whole or part by the Commission, to the extent authorized by the Commission, the Member(s) responsible for implementing the project and the Commission will enter into a cooperative agreement providing for all Commission-required terms and conditions related to the project and any such reimbursement. The Commission may also implement a project with a non-Member public or private entity in the same manner, if construction by such entities is deemed appropriate by the Commission.
- (c) Commission Projects. The Board may also undertake and contract for projects in the Commission's name, in accordance with the Watershed Management Plan and all applicable laws and regulations related to public procurement. Approval of Commission contracts for a capital improvement requires a favorable vote by two-thirds of Voting Commissioners.
- (d) County Funding. If the Commission proposes to certify all or any part of the cost of a capital improvement project for payment by Hennepin County's via its levy or bonding authority, as set forth in Minn. Stat. § 103B.251, all proceedings will be carried out in accordance with the provisions set forth in said section 103B.251, as amended.
- (e) Contracts for Improvements. All contracts which are to be let as a result of the Commission's ordering of a project must comply with the requirements of laws applicable to contracts let by the respective party making such contract. The Commission does not have the authority to contract in its own name for any work for which a special assessment will be levied against any private or public property under the provisions of Minnesota Statutes, chapter 429 or any city charter, and such contracts must be awarded by action of the governing body of a Member and must be in the name of said Member. This subsection does not preclude the Commission from proceeding under Minnesota Statutes, Section 103B.251 or from otherwise proceeding under subsection 4.3(c) for projects that will not be specially assessed under chapter 429.

All improvement contracts will be duly supervised by the party awarding said contract, provided, however, that the Commission is authorized to observe and review the work in progress and the Members agree to cooperate with the Commission staff in accomplishing the purposes of this Commission. Representatives of the Commission also have the right to enter upon the place or places where any improvement work is in progress for the purpose of making reasonable tests and inspections. Commission staff will report, advise and recommend to the Board on the progress of said work.

- (f) Land Acquisition. Because the Commission does not have the power to acquire real property, the Members agree that any and all easements or interests in land which are necessary for any project will be negotiated or condemned in accordance with all applicable laws by the Member wherein said lands are located, and each Member agrees to acquire the necessary easements or interests in such land upon order of the Commission to accomplish the purposes of this Agreement. All reasonable costs of said acquisition will be considered as a cost of the respective improvement. If a Member determines it is in the best interests of that Member to acquire additional lands in conjunction with the acquisition of lands for the Commission-ordered improvement, for some other purpose, the costs of said acquisition will not be included in the improvement costs of the ordered project and the Commission will not reimburse such costs. The Board in determining the allocation of the improvement costs may take into consideration the land use for which said additional lands are being acquired and may credit the acquiring Member for said land acquisition to the extent that it benefits the other Members of this Agreement. Any credits may be applied to the cost allocation of the improvement project under construction or the Board, if feasible and necessary, may defer said credits to a future project.

If any Member refuses to negotiate or condemn lands as ordered by the Board, any other Member may negotiate or condemn outside of its corporate limits in accordance with applicable laws. All Members agree that they will not condemn or negotiate for land acquisition to pond or drain storm and surface waters within the corporate boundaries of another Member except upon order of the Board. The Commission has authority to establish land acquisition policies as a part of the overall Watershed Management Plan. The policies must be designed to equalize costs of land throughout the Watershed.

4.4 Emergency Projects. The Commission may perform emergency projects in accordance with Minn. Stat. § 103B.252.

4.5 Local Water Management Plans.

- (a) Development. Each Member agrees to develop and maintain a local water management plan, capital improvement program, and official controls as necessary to bring local water management into conformance with the Watershed Management Plan. The development and implementation of local water management plans will conform with all requirements of the Act, including Minn. Stat. § 103B.235 and Minn. R., part 8410.0160, as amended. In accordance with the Act, the Board will approve or disapprove each local plan or any parts of each plan. Every effort will be made by the Commission and all Members to coordinate local plans with the Watershed's overall plan, including planning for local plans at the same time the Watershed's overall plan is being developed.
- (b) Review. Each Member will submit its proposed local water management plan to the Metropolitan Council and the Board for review as required by Minn. Stat. § 103B.235.

The Board will consider any comments on local water management plans received from the Metropolitan Council and thereafter act on said plans in accordance with the Act.

4.6 Pollution Control and Water Quality. The Commission has the authority and responsibility to protect and improve water quality in the Watershed as this is one of the main purposes set forth in the Act. All Members agree that they will refuse to allow the drainage of sanitary sewage or industrial wastes onto any land or into any watercourse or storm sewer draining into Bassett Creek. The Board may investigate on its own initiative and will investigate upon petition of any Member all complaints relating to pollution of surface water or groundwater draining into or affecting Bassett Creek or its tributaries. Upon a finding that the creek or surface waters or groundwater are being polluted, the Board may order the Member to abate this nuisance and each Member agrees that it will take all reasonable action available to it under the law to alleviate the pollution and to assist in protecting and improving the water quality of surface water and groundwater in the Watershed.

4.7 Boundary Changes. Any changes to the boundaries of the watershed must be undertaken in accordance with Minn. Stat. § 103B.215, as it may be amended.

SECTION V FINANCES

5.1 Generally.

- (a) Authority. Commission funds may be expended by the Board in accordance with this Agreement and in accordance with the procedures as established by law and in the manner as may be determined by the Board. In no event will there be a disbursement of Commission funds without the signature of at least two Board members, one of whom must be the Treasurer or the Treasurer's Authorized Deputy Treasurer, except to the extent the Commission delegates general or specific authority to the Commission administrator to disburse Commission funds. The Treasurer is required to file with the Secretary of the Board a bond in the sum of at least \$10,000 or such higher amount as determined by the Board. The Commission will pay the premium on said bond.
- (b) Depository. The Board will designate one or more national or state bank or trust companies, as authorized under Minnesota law, to receive deposits of public moneys and to act as depositories for the Commission funds.

5.2 Member Contributions. Each Member agrees to contribute each year to a fund to be used for general administration purposes including, but not limited to: salaries, rent, supplies, development of the Watershed Management Plan, engineering and legal expenses, insurance, and bonds, and to purchase and maintain any personal property deemed necessary by the Commission in furtherance of its purposes and powers as articulated in this Agreement. Said funds may also be used for normal maintenance of any facilities, but any extraordinary maintenance or repair expense will be treated as an improvement cost and processed in accordance with section 5.3 of this Agreement. The annual contribution by each Member will be based fifty percent (50%) on the net tax capacity of all property within the Watershed and fifty percent (50%) on the basis of the total

area of each Member within the boundaries of the Watershed each year to the total area in the Watershed. In no event will any assessment hereunder require a contribution to exceed one-half of one percent of the net tax capacity within the Watershed.

5.3 Capital Project Funding.

- (a) Project Funding; Commission Contributions. In addition to any amount to be contributed by any Member or other private or public entity, as the case may be and as specified in the Board's resolution ordering the project, the Commission may, by a two-thirds vote of Voting Commissioners, proceed to fund all or any part of the cost of a capital improvement contained in the Watershed Management Plan pursuant to the authority and subject to the provisions set forth in Minn. Stat. § 103B.251.
- (b) Maintenance Levy. The Commission may establish a maintenance fund to be used for normal and routine maintenance of a work of improvement constructed in whole or part with money provided by Hennepin County. As provided in Minn. Stat. § 103B.251, subd. 9, the Board may impose, with the county's consent, an ad valorem levy on all property located within the territory of the Watershed or a subwatershed unit. The levy will be certified, levied, collected, and distributed as provided in sections 103D.915 and 103D.921, as amended, and will be in addition to any other money levied and distributed by the county to the Commission. Mailed notice of any hearing required under the aforementioned statutes will be sent to the clerk of each Member municipality at least 30 days prior to the hearing. The proceeds of said maintenance levy will be deposited in a separate maintenance and repair account to be used only for the purpose for which the levy was made.

5.4 Budget; Member Assessments.

- (a) Adoption. On or before July 1 of each year, the Board will adopt a detailed budget for the ensuing year and decide upon the total amount necessary for the general fund. Budget approval requires a favorable vote by a majority of Voting Commissioners. The budget must not in any event require any Member to contribute annually in excess of one-half of one percent of the net tax capacity of all taxable property within the Watershed and within said Member's corporate boundaries.
- (b) Certification to Members. The secretary of the Board will certify the budget on or before July 1 to the clerk of each Member together with a statement of the proportion of the budget to be provided by each Member.
- (c) Member Review. The governing body of each Member agrees to review the budget, and the Board will upon written notice from any Member received prior to August 1, hear objections to the budget, and may, upon notice to all Members and after a hearing, modify or amend the budget, and then give notice to the Members of any and all modifications or amendments. Modifications or amendments to the original budget require a favorable vote by a majority of Voting Commissioners.

- (d) Member Assessments. Each Member agrees to provide the funds required by the approved budget and contemplated under section 5.2. If no objections are submitted to the Board, each Member agrees to provide the funds approved by the Board after the Board has conducted the process required in this Agreement. The schedule of payments by the Members will be determined by the Board in such a manner as to provide for an orderly collection of the funds needed.
- (e) Supplemental Budget. Upon notice and hearing, the Board by a favorable vote of a majority of Voting Commissioners may adopt a supplemental budget requiring additional payments by the Members within 60 days of its adoption but in no event will the budget require any Member to contribute in excess of one-half of one percent of the net tax capacity of all taxable property within the Watershed or within the Member's corporate boundaries in any one calendar year.

5.5 Cost Allocation for Capital Projects. All capital costs incurred by the Commission will be apportioned to the respective Members on any of the following bases:

- (a) County Levy. If the project is constructed and financed pursuant to Minn. Stat. § 103B.251, the Members understand and agree that said costs will be levied on all taxable property in the Watershed as set forth in said statute.
- (b) Negotiated Amount. A negotiated amount to be arrived at by the Members who have lands in the subdistrict responsible for the capital improvement.
- (c) Tax Capacity and/or Total Area.
 - (1) Fifty percent of all capital costs or the financing thereof will be apportioned to each Member on the basis of the net tax capacity of each Member within the boundaries of the Watershed each year to the total net tax capacity in the Watershed.
 - (2) Fifty percent of all capital costs or the financing thereof will be apportioned to each Member on the basis of the total area of each Member within the boundaries of the Watershed each year to the total area in the Watershed.
 - (3) Capital costs allocated under the 50% area/50% net tax capacity formula set forth above may be varied by a two-thirds vote of Voting Commissioners if:
 - (i) any Member community receives a direct benefit from the capital improvement which benefit can be defined as a lateral as well as a trunk benefit, or
 - (ii) the capital improvement provides a direct benefit to one or more Members which benefit is so disproportionate as to require in a sense of fairness a modification in the 50/50 formula.

- (4) Credits to any Member for lands acquired by said Member to pond or store storm and surface water will be allowed against costs set forth in subsections (c)(1), (c)(2) and (c)(3) of this section.

SECTION VI MISCELLANEOUS PROVISIONS

6.1 Term. This Agreement is effective as of January 1, 2025 and will remain in effect until January 1, 2037 unless terminated earlier as provided herein. The Members may agree to continue this Agreement as the preferred method for addressing their obligation to address surface water issues under law.

6.2 Liability. For the avoidance of doubt, the Commission is considered a single governmental unit for purposes of total liability for damages pursuant to Minn. Stat. § 471.59, subd. 1a(b).

6.3 Termination. This Agreement may be terminated prior to January 1, 2037, by the unanimous consent of the Members. If the Agreement is to be so terminated, a notice of the intent to dissolve the Commission must be sent to BWSR and Hennepin County at least 90 days prior to the date of dissolution.

6.4 Dissolution. In addition to the manner provided in section 6.3 for terminating this Agreement, any Member may petition the Board to dissolve the Agreement. Following such petition, and upon 90 days' notice in writing to the clerk of each Member and to BWSR and Hennepin County, the Board will hold a public hearing and upon a favorable vote by a majority of Voting Commissioners, the Board may by resolution recommend that the Commission be dissolved. Said resolution will then be submitted to each Member and if ratified by three-fourths of the governing bodies of all Members within 60 days, said Board must dissolve the Commission, allowing a reasonable time to complete work in progress and to dispose of personal property owned by the Commission.

6.5 Distribution of Assets. If this Agreement is terminated and not replaced with a new agreement providing for the continued operation of the Commission, or if the Commission is dissolved, all property of the Commission will be sold and the proceeds thereof, together with monies on hand, will be distributed to the Members of the Commission. Such distribution of Commission assets will be made in proportion to the total contribution to the Commission as required by the last annual budget.

[signature pages to follow]



Bassett Creek Watershed Management Commission

MEMO

To: BCWMC Commissioners and Alternate Commissioners
From: Administrator Jester on Behalf of Budget Committee
Date: June 12, 2024

RE: Budget Committee Recommendations

- A. Approve the proposed 2025 operating budget and send to member cities for input by August 1st
- B. Direct the Administrative Services Committee to review options for increasing staff capacity and consider developing a staffing plan

The Budget Committee met March 22, May 2, and May 20 to discuss the 2025 Operating Budget and related matters such as establishing a maintenance levy and adding staff capacity. The committee developed the proposed 2025 Operating Budget for watershed administration, planning, monitoring, engineering, and other activities that are outside of work related to implementing CIP projects. (CIP projects are funded through a separate budgetary process involving taxes levied by Hennepin County on the Commission's behalf.)

A final proposed operating budget should be approved at this meeting in time for distribution to cities for input. Cities have from July 1 to August 1 to provide comments. A final budget should be adopted at the August meeting. Notes on budget include:

1. The outcome of the 2023 financial audit (expected in July) may impact final budget figures.
2. The proposed budget includes an average increase in city assessments of 4.7% over this year's assessments.
3. Total budget expenses of \$922,360 are about 4% lower than the 2024 budget (as amended).
4. Water monitoring costs are significantly lower in 2025 due to fewer waterbodies being monitored (in accordance with the [water monitoring plan](#)).
5. Although the proposed 2025 budget is lower than 2024, city assessments are higher than 2024 because 1) the funds previously set aside for watershed plan development are depleted; and 2) the fund balance should be maintained at approximately 50% of annual operating expenses (Fiscal Policy 3.2.1).
6. The proposed budget includes \$20,000 earmarked for a BCWMC website update and conversion for ADA compliance (in addition to normal website hosting and assistance expenses). A complete scope and budget would be requested from one or more consultants for this work. \$20,000 represents a ballpark estimate.
7. The proposed budget includes \$39,000 for additional staff (see more information below).
8. The "notes" section in the budget explains each line item in more detail.

The Budget Committee recommends that the Commission consider adding staff capacity in 2025. The proposed 2025 operating budget includes \$39,000 for additional staff assuming new staff would start mid-year, on a part-time basis, at an hourly rate equal to or less than the administrator’s rate of \$75/hour. Initially, there would be some inefficiencies in staff capacity due to onboarding and training but the need is growing to employ more than a half-time administrator. The Budget Committee recommends that the Administrative Services Committee review staffing options and consider developing a staffing plan.

The Budget Committee sees the need for increasing staff as three-fold:

1. **Additional staff would allow the administrator to work on more high-level tasks, new endeavors, and partnership building.** Additional staff could be used to complete some tasks currently done by the administrator which are routine, administrative, and easy to learn including preparing meeting minutes and meeting packets, scheduling and noticing meetings, maintaining financial spreadsheets and grant tracking, updating the website, preparing the annual report, coordinating the Citizen Assisted Monitoring Program (CAMP) volunteers and logistics, etc. This would allow the administrator to concentrate on programs that are important but continually slip down the task list (e.g., development of a holistic chloride reduction plan for Parkers Lake, development of more robust commissioner training program, development of CIP tracking database, more robust engagement with diverse communities, etc.)
2. **Implementation of the next 10-year watershed plan will likely include the need for additional staff.** As priorities and goals are being developed, there are many areas where new or expanding projects and programs are being considered. These include grant programs for residents and businesses, expansion of education and outreach programming, developing and implementing subwatershed analyses, building partnerships with diverse communities, working with private developers on “above and beyond” treatment, expanding low salt education and actions, etc.
3. **Cross training and planned redundancy creates a more resilient organization.** In addition to simply increasing the amount of work that can be accomplished, additional staff would provide an opportunity to build resiliency in the event of staff changes or retirements. The Commission is a complex organization with a myriad of programs, processes, funding streams, and partnerships. Some duplication of knowledge is warranted given the responsibility of implementing large projects and programs and spending significant public funds. Further, in the event of a staff change or retirement there should be a plan to pass along institutional knowledge and a chance for new staff to build relationships.

	2022 Budget	2022 Gross Expenses	2022 Revenue	2022 NET Expenses	2023 Budget	2023 Gross Expenses	2023 Revenue	2023 NET Expenses	Final 2024 Budget as amended	Expected 2024 Revenue	Expected 2024 NET Expenses	Proposed 2025 Budget	Expected 2025 Revenue	Expected 2025 NET Expenses
ENGINEERING & MONITORING														
Technical Services	145,000	132,541		132,541	145,000	145,181	-	145,181	145,000	-	145,000	148,000	-	148,000
Development/Project Reviews	75,000	103,851	77,617	26,234	80,000	76,360	79,170	(2,810)	90,000	77,000	13,000	90,000	77,000	13,000
			Review fees				Review fees			Review fees				
Non-fee and Preliminary Reviews	22,000	17,788	1,000	16,788	30,000	19,003	-	19,003	30,000	-	30,000	25,000	-	25,000
			Cost share w/ MPLS								-			
Commission and TAC Meetings	14,000	13,119		13,119	15,000	15,199	-	15,199	15,000	-	15,000	16,000	-	16,000
Surveys and Studies	10,000	14,283		14,283	15,000	6,572	-	6,572	15,000	-	15,000	15,000	-	15,000
Water Quality / Monitoring	110,000	109,478		109,478	105,000	98,246	-	98,246	186,900	-	186,900	133,500	-	133,500
Water Quantity	8,000	6,369		6,369	9,000	7,935	-	7,935	9,000	-	9,000	9,000	-	9,000
Annual Flood Control Project Inspections	12,000	21,290	21,290	-	15,000	21,428	20,200	1,228	85,000	85,000	-	45,000	45,000	-
			Transfer from long term account				Transfer from long term account			Transfer from long term account			Transfer from long term account	
Municipal Plan Review	2,000	1,464		1,464	2,000	1,860	-	1,860	2,000	-	2,000	2,000	-	2,000
Watershed Outlet Monitoring Program	28,500	28,425	3,750	24,675	27,000	22,249	4,500	17,749	26,500	5,000	21,500	29,300	5,000	24,300
			Grant from Met Council				Grant from Met Council			Grant from Met Council			Grant from Met Council	
Annual XP-SWMM Model Updates/Reviews	5,000	8,983		8,983	3,000	1,277	-	1,277	3,000	-	3,000	-	-	-
APM/AIS Work	13,000	41,844	22,500	19,344	40,000	44,674	-	44,674	40,000	-	40,000	44,000	-	44,000
			DNR Grant & Cost share w/ TRPD					-						
Subtotal Engineering & Monitoring	\$444,500	\$499,435	\$126,157	\$373,278	\$486,000	\$459,984	\$103,870	\$356,114	\$647,400	\$167,000	\$480,400	\$556,800	\$127,000	\$429,800
PLANNING														
Next Generation Plan Development	18,000	47,372	11,000	36,372	53,250	85,774	9,000	76,774	47,650	18,000	29,650	32,600	-	32,600
			Transfer from Plan account				Transfer from Plan account			Transfer from Plan account				
Subtotal Planning	\$18,000	\$47,372	\$11,000	\$36,372	\$53,250	\$85,774	\$9,000	\$ 76,774	\$47,650	\$18,000	\$29,650	\$32,600	\$0	\$32,600

Item	2022 Budget	2022 Gross Expenses	2022 Revenue	2022 NET Expenses	2023 Budget	2023 Gross Expenses	2023 Revenue	2023 NET Expenses	Final 2024 Budget as amended	Expected 2024 Revenue	Expected 2024 NET Expenses	Proposed 2025 Budget	Expected 2025 Revenue	Expected 2025 NET Expenses	See Notes
ADMINISTRATION															
Administrator	70,848	69,174	34,000	35,174	78,750	70,517	44,140	26,377	78,750	44,760	33,990	78,750	44,760	33,990	(M)
			Transfer from CIP account				Transfer from CIP account			Transfer from CIP account			Transfer from CIP account		
Additional Staff												39,000	-	39,000	(MM)
MAWD Dues	7,500	7,500		7,500	7,500	7,500	-	7,500	7,500	-	7,500	7,500	-	7,500	(N)
Legal	17,000	20,204		20,204	17,000	22,296	-	22,296	26,520	-	26,520	26,520	-	26,520	(O)
Financial Management	13,500	14,260		14,260	14,540	15,240	-	15,240	17,000	-	17,000	19,800	-	19,800	(P)
Audit, Insurance & Bond	18,700	18,218		18,218	18,700	20,805	-	20,805	18,700	-	18,700	22,000	-	22,000	(Q)
Meeting Catering	1,300	1,830		1,830	2,400	1,935	-	1,935	2,400	-	2,400	2,400	-	2,400	(R)
Administrative Services	8,000	5,993		5,993	7,240	3,156	-	3,156	2,570	-	2,570	4,140	-	4,140	(S)
Subtotal Administration	\$136,848	\$137,179	\$34,000	\$103,179	\$146,130	\$141,449	\$44,140	\$97,309	\$153,440	\$44,760	\$108,680	\$200,110	\$44,760	\$155,350	
OUTREACH & EDUCATION															
Publications / Annual Report	1,300	1,164		1,164	1,000	1,338	-	1,338	1,200	-	1,200	1,300	-	1,300	(T)
Website	1,800	645		645	1,600	687	-	687	1,600	-	1,600	22,000	-	21,600	(U)
Watershed Education Partnerships	18,350	15,410		15,410	18,350	9,500	-	9,500	18,350	-	18,350	18,350	-	18,350	(V)
Education and Public Outreach	28,000	36,591	13,013	23,578	28,000	18,765	12,636	6,129	28,000	-	28,000	30,000	-	30,000	(W)
			Grant from BWSR				Grant from BWSR						-	-	
Public Communications	1,100	69		69	1,100	1,263	-	1,263	1,000	-	1,000	1,200	-	1,200	(X)
Subtotal Outreach & Education	\$50,550	\$53,879	\$13,013	\$40,866	\$50,050	\$31,553	\$12,636	\$18,917	\$50,150	\$0	\$50,150	\$72,850	\$0	\$72,450	
MAINTENANCE FUNDS															
Channel Maintenance Fund	25,000	25,000		25,000	25,000	25,000	-	25,000	25,000	-	25,000	25,000	-	25,000	(Y)
Flood Control Project Long-Term Maint.	25,000	25,000		25,000	35,000	35,000	-	35,000	35,000	-	35,000	35,000	-	35,000	(Z)
Subtotal Maintenance Funds	\$50,000	\$50,000	\$0	\$50,000	\$60,000	\$60,000	\$0	\$60,000	\$60,000	\$0	\$60,000	\$60,000	\$0	\$60,000	
TMDL WORK															
TMDL Implementation Reporting	7,000	3,397	-	3,397	-	-	-	-	-	-	-	-	-	-	(AA)
Subtotal TMDL Work	\$7,000	3,397	-	3,397	\$0	\$0	\$0	\$0					\$0	\$0	
GRAND TOTAL	\$706,898	\$791,262	\$184,170	\$607,092	\$795,430	\$778,760	\$169,646	\$609,114	\$958,640	\$229,760	\$728,880	\$922,360	\$171,760	\$750,200	

NOTES

(A1) General technical services by Barr Engineering; 2025 budget is slightly higher due to 2023 actuals

(A) Partially funded by application fees; with the creation of the preliminary and non-fee budget category, most of the review costs will be covered by application fees. Budget based on recent actual expenses and projected number of projects submitted for review. New review fees effective Aug 1, 2022. No change in budget from 2024.

(B) This was a new line item in 2015 used to cover reviews for which either we do not receive an application fee or it's too early in the process for us to have received an application fee. Includes DNR application reviews, MnDOT project reviews, and other prelim reviews requested by administrator and member cities. Reviews for large projects such as SWLRT reviews and North Loop Green Project have been partially or fully reimbursed to Commission. Decreased budget due to 2022 and 2023 actuals

(C) Includes attendance at BCWMC meetings, TAC meetings and other committee meetings, as needed. 2025 budget is slightly increased due to 2023 actuals.

(D) For Commission-directed surveys and studies not identified in other categories - e.g., past work has included watershed tours, Medicine Lake outlet work, Flood Control Project Maintenance and Responsibilities policy development, Sweeney Lake sediment monitoring, stream monitoring equipment purchase. Intended to give Commission flexibility to investigate or tackle unforeseen issues that arise. Budget lowered in 2020, 2021, and 2022 for budget savings. Increased in 2023 and kept the same in 2024 and 2025.

(E) Routine lake and stream monitoring. See details on next page.

(F) Water Quantity (lake level) monitoring. 2018 budget lowered for budget savings and resulted in fewer data points. 2019 budget back to earlier budget levels. 2020 budget lowered again for budget savings. 2022 and 2023 budget increase allows for additional measurements and benchmark checks, beyond the once/month lake level measurements to assist with proper maintenance of hydrologic and hydraulic modeling and climate resiliency preparations. 2024 and 2025 same as 2023 budget

(G) 2025 budget includes the once-every-5-year unsubmerged deep tunnel inspection (non-NASSCO) and annual inspections. Budget assumes \$25,000 for deep tunnel inspection (includes \$10,000 in subcontractor fees for crane and inspection/rescue support services), \$15,000 for annual inspections, and \$3,000-\$5,000 for coordination on flood control project issues. The BCWMC Flood Control Project Double Box Culvert Repairs CIP project (FCP-1) is slated for 2027, which means feasibility study is needed in 2025 or 2026. (Feasibility study will be financed with CIP funds.) The results of the 2024 double box culvert inspection will be used for the feasibility study. The last deep tunnel inspection was 2020, next one is due 2030.

http://www.bassettcreekwmo.org/application/files/4514/9637/1815/2016_FCP_Policies.pdf

(H) Municipal plan approvals completed in 2019; however, this task has also included review of adjacent WMO plan amendments, and review of city ordinances; \$2,000 budget recommended annually.

(I) Monitoring at the Watershed Outlet Monitoring Program (WOMP) site in Minneapolis through an agreement with Met Council (MCES). Commission is reimbursed \$5,000 from Met Council. Met Council pays for equipment, maintenance, power, cell service, and lab analyses. Monitoring protocol changed in 2017 with collection of bi-monthly samples (up from once-per-month sampling). Both Barr and Stantec (previously Wenck) have tasks related to WOMP activities. Station was moved in late 2020. 2025 budget reflects 2024 contract with Stantec and includes Barr estimates (\$7,500 for Barr + \$21,800 for Stantec).

(J) This item is used to make updates to the XP-SWMM model, coordinate with P8 model updates, and assist cities with model use. No XP-SWMM updates were performed 2019 - 2021 due to work on the grant funded FEMA modeling project. 2022 budget includes finalizing updates to the Commission's official model and flood elevations to match the "FEMA model" (this work was started in 2021 using "Surveys and Studies" budget). 2024 and 2023 budgets include Barr requesting, compiling, and reviewing information provided by the cities and flagging those that are large enough/significant enough to incorporate into the XP-SWMM and P8 model updates. In 2025 the broader XP-SWMM to PCSWMM and update project will begin. Work typically included in this line item will be wrapped into that project instead. As this covers both XP-SWMM and P8, we assumed \$0 for the TMDL Implementation Reporting (P8 model update) budget.

Notes (continued)

(K) Funds to implement recommendations of Aquatic Plant Management/Aquatic Invasive Species Committee likely including curly-leaf pondweed control in Medicine Lake and small grant program for launch inspectors, education/outreach, etc. by other organizations including TRPD, AMLAC, others. TRPD shares cost (17%) of treatments. In 2021, recieved \$5,000 DNR grant. In 2022, recieved \$10,000 DNR grant. No grant funds were recieved in 2023 and 2024. In 2022 and for a few years thereafter, treatment costs are expected to be significantly higher due to expanded treatment area allowed under Lake Vegetation Management Plan. 2025 budget increased to reflect 2023 actual expenses.

(L) The scope and budget for development of the 2025 Watershed Plan was approved in February 2022. \$38,000 has already been set aside 2019 - 2022 in a long term account for Plan development, of which \$11,000 was initially planned to cover work in 2022. The Commission approved a revised Plan scope and budget in September 2022 to include additional funding to address "complex issues." In 2022, Barr spent approximately \$41,000 as part of the original Plan update and complex issues tasks. In 2023, Barr and the administrator spent \$72,987 as part of the original Plan update and complex issues tasks. In 2024, the combined budget for Barr and the Administrator is \$47,650. In 2025, the estimated combined budget for Barr and the Administrator is \$32,600 (\$22,900 for Barr, and \$9,700 for the Administrator). Revenue includes transfer from plan development long term account to help offset costs.

(M) Amended Administrator contract approved March 2022 includes 87.5 hours per month at \$75/hour starting in FY23 for total of \$78,750. No change in hourly rate for 2025. Changes to contracted hours to be discussed.

(MM) Increased staff capacity. Assumes 6 - 8 months of additional part time staff to assist administrator.

(N) MN Association of Watershed District Annual dues. New budget item. 2019 and 2020 dues were \$500 because WMOs were newly allowed to join the organization. 2021 dues \$3,750. Starting in 2022 dues went to the max of \$7,500 similar to other Metro watersheds.

(O) For Commission attorney. 2022 budget included 3% hourly rate increase over 2021 + more work expected. Acutal costs in 2022 were \$3,000 over budget. 2024 budget was amended from \$21,000 to \$26,520 approved 12/21/23 to be more in line with acutal costs. Legal costs for some CIP projects will be charged to specific CIP budgets, as warranted.

(P) In 2024, Commission began contractoing with the City of Plymouth for accounting services. 2025 budget is based on 2024 contract with \$1,334/month + \$150/hour for audit services up to 25 hours.

(Q) Insurance and audit costs have risen considerably in the last few years. 2022 audit cost \$12,800. 2023 audit contract is for \$13,750. 2023 insurance was \$7,905.

(R) Assumes 12 in-person meetings @ \$200 per meeting

(S) Assumes the BCWMC contracts with a Recording Secretary @ \$40/hr * 6 hrs/mo for 6 months (\$1,440 total) + \$200/mo meeting packet printing/mailing + \$300 supplies (envelopes, stamps, etc). Remaining 6 months of recording would be completed by additional staff (line MM).

(T) Budget was decreased in last few years to be more in line with actual expenses. Costs are associated with Commission Engineer assistance with annual report

(U) \$1,600 based on agreement with HDR for website hosting and maintenance activities. Additional \$20,000 for website updates and transition to ADA compliant site.

(V) Includes CAMP (\$7,000), Metro Watershed Partners (\$3,500), Metro Blooms Workshops (\$2,500), Children's Water Festival (\$350), Metro Blooms resident engagement in Minneapolis neighborhoods (\$4,000).

(W) Includes funding for West Metro Water Alliance at \$15,000 (an increase of \$2,000 over previous years to support new coordinator position) and \$15,000 for work by educational contractors + supplies and materials including educational signage, display materials, Commissioner training, etc.

(X) Public Communications covers required public notices for public hearings, etc.

(Y) Will be transferred to Channel Maintenance Fund for use by cities with smaller projects along main streams.

(Z) \$35,000 Will be transferred to Long-Term Maintenance Fund. Budget increased from \$25,000 in 2023 to be more in line with expected costs at TAC's recommendation.

(AA) This task is meant for updating the P8 pollution model. A significant portion of the Commission's P8 model will be updated in 2024 as part of the Medicine Lake TMDL Assessment project. P8 model updates are also being planned for following the comprehensive update to the Commission's XPSWMM/PCSWMM model in 2026. Because of this, no additional P8 model updates are planned for 2025.

BCWMC 2025 Water Quality Monitoring Budgets - by item		
Item	Budget	Notes
Reporting on 2024 monitoring:		
Cavanaugh Lake Report on 2024 Monitoring	\$8,500	Report will follow template of recent reports.
Medicine Lake Report on 2024 Monitoring	\$10,000	Report will follow template of recent reports.
Parkers Lake Report on 2024 Monitoring	\$8,500	Report will follow template of recent reports.
Westwood Lake Report on 2024 Monitoring	\$8,500	Report will follow template of recent reports.
2025 monitoring:		
Year 2 of North Branch stream flow and quality monitoring	\$40,000	Flow and monitoring equipment will be reinstalled in the North Branch of Bassett Creek. Samples will be collected during 8 storm events and 7 baseflow events. Water depth, flow, temperature, and specific conductance will be continuously measured during the 2024 monitoring period. Dissolved oxygen will be continuously measured for 4 days during July or August. Storm and base flow samples will be analyzed for nutrients (total phosphorus, ortho phosphorus, dissolved phosphorus, nitrate/nitrite, ammonia, and total Kjeldahl nitrogen), solids (total suspended solids and volatile suspended solids), chlorides, hardness, calcium, and magnesium. Base-flow samples will also be analyzed for chlorophyll a, and E. coli bacteria. Quarterly grab samples will be analyzed for metals (chromium, cadmium, copper, lead, nickel, and zinc). Instantaneous dissolved oxygen and pH measurements will be taken when baseflow samples are collected. MCES Lab will perform the analyses. Four manual flow measurements will be taken to verify/adjust the rating curve. Budget assumes an average level of maintenance and trouble-shooting efforts. Cellular data services will be purchased directly from the vendor (Campbell Scientific). Equipment will be removed at the end of the monitoring period. Data will be reviewed and QAQC'd. Data will be submitted to the MPCA EQUS database.
Northwood and Crane Lakes	\$46,000	Detailed lake monitoring includes monitoring one location on Crane Lake and one location on Northwood Lake on 6 occasions for selected parameters (total phosphorus, ortho phosphorus, total nitrogen, chlorophyll a, chloride, temperature, pH, DO, and specific conductance), plus parameters associated with AIS vulnerability (alkalinity, sodium, hardness, calcium, and magnesium) sample analysis, phytoplankton and zooplankton collection and analysis, an aquatic plant survey (two occasions), calculation of aquatic plant IBIs, preparation of dissolved oxygen, temperature, total phosphorus, and specific conductance isopleths, completion of trend analyses of total phosphorus, chlorophyll a, and Secchi disc average summer values. Final report preparation(following template of recent reports) and presentation costs deferred to 2026.
General water quality	\$12,000	Based on past year actual budgets, increased to \$12,000 for 2025
Total Water Quality Monitoring	\$133,500	

Proposed 2025 Revenues	
Proposed Income	
Assessments to cities	\$ 651,900
Investment Income	
CIP Administrative Funds (2.0% of est. requested levy of \$2,053,500)	\$ 41,070
Project review fees	\$ 77,000
Transfer from Long-term Maint Fund for Flood Control Proj Inspections	\$ 45,000
WOMP reimbursement	\$ 5,000
TRPD reimbursement	
Transfer from Watershed Plan Fund	
TOTAL PROPOSED INCOME	\$ 819,970
Expected Expenses	
Total operating budget	\$ 922,360
Fund Balance Details	
Est. Beginning Fund Balance (Jan 31, 2025)	\$ 557,024
Change in Fund Balance (income - expenses)	\$ (102,390)
Est. Remaining Fund Balance (Jan 31, 2026)	\$ 454,634

Proposed City Assessments

Community	For Taxes Payable in 2024	2024 Percent of	Area Watershed (w/ 2022 changes)	Percent of	Average	2019	2020	2021	2022	2023	2024	Proposed 2025	Percent increase over 2024: 4.7%	
	Net Tax Capacity	Valuation	in Acres	of Area	Percent	\$529,850	\$550,450	\$554,900	\$565,998	\$ 617,430	\$ 622,500	\$651,900		
Crystal	\$13,491,675	5.51	1,297	5.11	5.31	\$27,877	\$29,062	\$29,898	\$30,206	\$32,948	\$33,280	\$34,598	4.0%	Crystal
Golden Valley	\$59,252,512	24.19	6,615	26.05	25.12	\$138,553	\$144,693	\$145,228	\$148,477	\$160,438	\$159,957	\$163,742	2.4%	Golden Valley
Medicine Lake	\$1,665,817	0.68	199	0.78	0.73	\$3,846	\$3,975	\$3,928	\$3,988	\$4,472	\$4,455	\$4,771	7.1%	Medicine Lake
Minneapolis	\$18,628,473	7.60	1,685	6.64	7.12	\$35,805	\$37,631	\$37,983	\$39,103	\$43,643	\$43,481	\$46,413	6.7%	Minneapolis
Minnetonka	\$17,027,639	6.95	1,108	4.36	5.66	\$28,989	\$29,967	\$29,622	\$30,437	\$34,091	\$34,069	\$36,877	8.2%	Minnetonka
New Hope	\$13,019,891	5.31	1,368	5.39	5.35	\$27,987	\$28,987	\$29,464	\$30,087	\$33,078	\$34,431	\$34,882	1.3%	New Hope
Plymouth	\$105,012,941	42.86	12,001	47.26	45.06	\$237,986	\$245,942	\$247,860	\$252,307	\$275,216	\$279,012	\$293,758	5.3%	Plymouth
Robbinsdale	\$4,315,237	1.76	369	1.45	1.61	\$8,523	\$8,937	\$9,299	\$9,288	\$10,314	\$10,599	\$10,478	-1.1%	Robbinsdale
St. Louis Park	\$12,574,371	5.13	752	2.96	4.05	\$20,284	\$21,257	\$21,618	\$22,105	\$23,230	\$23,216	\$26,382	13.6%	St. Louis Park
TOTAL	\$244,988,556	100.00	25,394	100.00	100.00	\$529,850	\$550,450	\$554,900	\$565,998	\$ 617,430	\$ 622,500	\$651,900	4.7%	



Bassett Creek Watershed Management Commission

MEMO

To: BCWMC Commissioners and Alternate Commissioners
From: Administrator Jester
Date: Jun 13, 2024

RE: 2025 Proposed Maximum Levy

RECOMMENDATION: Set a maximum levy of \$2,303,500 for collection by Hennepin County in 2025

A maximum levy request for 2025 must be set at this meeting and submitted to the County by June 21st. The final levy will be set later this year and can be lower than the maximum amount set at this meeting but cannot be higher. The table below shows the CIP projects slated for 2025 levy funding with the 2024 levy (already finalized) and the potential 2026 levy for context. The table includes the levy amount needed for the recently approved Plymouth Creek Restoration Project with the following estimated costs:

Plymouth Creek Restoration Project – Option 3a

Design and Construction:	\$2,420,000
Feasibility Study:	\$111,100
Design Review:	\$15,000 (assumes Commission Engineer does not design)
Administrative Expense:	\$51,000
TOTAL	\$2,597,100 (rounded to \$2,600,000 in table below)

Project Name	Project Number	2024 Levy	2025 Levy	2026 Levy	TOTAL (where applicable)
Medicine Lake Rd & Winnetka Ave Long Term Flood Mitigation Plan Project (SEA School Flood Storage + DeCola Pond F Flood Storage)	Golden Valley BC- 2,3,8,10	\$252,000 (partial)		\$100,000 (partial)	
Medley Park Stormwater Treatment Facility	Golden Valley ML-12	\$800,000 (partial)			
Bassett Creek Main Stem Restoration - Regent Ave to Golden Valley Rd	Golden Valley 2024-CR-M	\$634,000	\$953,500	\$653,500	\$2,241,000
Ponderosa Woods Stream Restoration	Plymouth ML-22	\$352,000			\$352,000
Cost share purchase of high efficiency street sweeper	Golden Valley BC-12	\$100,000	\$50,000		\$150,000
Sochacki Water Quality Improvement Project	Robbinsdale & Golden Valley BC-14	\$2,000,000	\$300,000		\$2,300,000
Plymouth Creek Restoration Project Dunkirk Lane to Plym Ice Center	Plymouth 2025 CR-P		\$1,300,000	\$1,300,000	\$2,600,000
SUB TOTAL		\$4,138,000	\$2,603,500	\$2,353,500	
Estimated Use of Closed Project Account Funds		\$200,000	\$0	\$0	
City and Grant Funding		\$1,700,000 ¹	\$300,000 ²	\$0	
TOTAL LEVY		\$2,238,000	\$2,303,500	\$2,353,500	

¹ \$1,700,000 from Three Rivers Park District and other partners

² \$300,000 from City of Golden Valley



Bassett Creek Watershed Management Commission

Watershed Plan Development - Progress Tracker June 2024 Update

At their meeting on June 12th, the Plan Steering Committee discussed terminology and definitions for eventual strategies and actions and finalized draft issues and goals for the Climate Resilience category (proposed to be renamed “Flooding and Climate Resilience.”) They also began drafting issue statements and goals in the Education and Outreach category. As part of that discussion, they realized a policy related to the Commission’s role in addressing diversity, equity, inclusion, and access should be developed by the Commission in the near term so that appropriate goals can be set for the “engagement of diverse communities” issue. A draft policy is likely to be discussed at the July Commission meeting.

Month and Year	Plan Steering Committee Work
September 2023 thru February 2024	<p>Developed format for presenting and discussing issue statements, desired future conditions, 10-year goals, potential actions/strategies, and tracking notes.</p> <p>Developed mission statement: <i>Stewardship of water resources to reduce flood risk and improve watershed ecosystem health.</i></p> <p>Developed issue statements and measurable goals addressing:</p> <ul style="list-style-type: none"> • Impaired waters • Chloride loading • Streambank and gully erosion • Lakeshore erosion • Wetland health and restoration <p>Received update on plan development budget.</p> <p>Reviewed input from the Plan TAC which met in December 2023.</p> <p>Planned for January 2024 Commission workshop and responded to input received.</p> <p>Discussed implementation capacity of Commission.</p>
March 7, 2024	<p>Reviewed and approved updated waterbody classification table; recommended keeping current list of priority waterbodies.</p> <p>Reviewed plan development calendar and timeline.</p> <p>Revisited discussion on future funding and governance structure, acknowledging complicated matter given JPA status and difficulty writing a 10-year plan considering that the future structure or funding of the organization could change . General</p>

Month and Year	Plan Steering Committee Work
	<p>approach agreed to: 1) get the JPA updated and keep the JPA update simple; 2) engage with cities to gain support for additional staff hours/higher operating budget; 3) build the plan with a tiered approach dependent on staffing and structure; 4) analyze organizational structure early in plan Implementation.</p> <p>There was concern from some that momentum for analyzing organizational structure will wane once new JPA is adopted. PSC members acknowledged that future structure will be further explored within the “organizational effectiveness” category in the coming months and a commission workshop would incorporate this item.</p> <p>Developed issue statements, measurable goals and possible implementation actions for:</p> <ul style="list-style-type: none"> • Aquatic Invasive Species • Groundwater – Surface Water Interaction (partial)
April 3, 2024	<p>Revisited discussion on future funding and governance structure for the Commission. Noted that at March Commission meeting, the topic was introduced but without enough background and written materials. The group considered providing a memo on the governance item to the Commission but ultimately decided to provide a monthly status report to the Commission that includes a summary of PSC discussions and plan development progress. Again, the PSC confirmed the funding and governance topic would be subject of a future Commission workshop.</p> <p>Finalized development of issue statements, measurable goals and possible implementation actions for Waterbody and Watershed Quality category including:</p> <ul style="list-style-type: none"> • Groundwater – Surface Water Interaction • Degradation of Riparian Areas • Degradation/Loss of Upland Areas • Groundwater Quality <p>Discussed format and timing for next Plan TAC meeting.</p> <p>Rescheduled June and July PSC meetings.</p>
May 1, 2024	<p>Developed issue statements, measurable goals and possible implementation actions for a portion of the Flooding and Climate Resiliency category:</p> <ul style="list-style-type: none"> • Impact of climate change on hydrology, water levels, and flood risk <p>Reviewed draft mockup of Waterbody and Watershed Quality Issues and Goals section.</p> <p>Discussed timing and topics for next Commission workshop.</p>
June 12, 2024	<p>Finalize issue statements, measurable goals and possible implementation actions for a portion of the Flooding and Climate Resiliency category:</p> <ul style="list-style-type: none"> • Impact of climate change on hydrology, water levels, and flood risk

Month and Year	Plan Steering Committee Work
	<ul style="list-style-type: none"> • Bassett Creek Valley Stormwater Management • Groundwater Quantity <p>Began developing issue statements, measurable goals and possible implementation actions for Education and Outreach category:</p> <ul style="list-style-type: none"> • Provide outreach to and develop relationships with diverse communities (need policy from Commission before finalizing) • Protect recreation opportunities
July 10, 2024	<p>Review format for portion of draft Plan section(s) addressing strategies, actions, and policies</p> <p>Finalize issue statements, measurable goals and possible implementation actions for Education and Outreach category:</p> <ul style="list-style-type: none"> • Provide outreach to and develop relationships with diverse communities • Protect recreation opportunities • POTENTIAL NEW ISSUE: Increase resident and stakeholder capacity for stewardship <p>Develop issue statements, measurable goals and possible implementation actions for Organizational Effectiveness category:</p> <ul style="list-style-type: none"> • Organizational assessment of capacity and staffing • BCWMC funding mechanisms • Progress assessment • Projects and programs implemented through a DEI lens • Public ditch management • Carbon footprint of BCWMC projects <p>Begin planning for Commission August 15th Commission workshop to discuss 1) Waterbody and Watershed Quality and 2) Flooding and Climate Resiliency issues and goals</p>
August 7, 2024	<p>Finalize issue statements, measurable goals and possible implementation actions for Organizational Effectiveness category.</p> <p>Finalize plans for August 15th Commission Workshop</p>
August 7, 2024 September 4, 2024	<p>Review draft outreach and education plan</p> <p>Review draft water monitoring plan</p>
September 4, 2024	<p>Discuss possible revisions to BCWMC development requirements. Possible topics include:</p>

Month and Year	Plan Steering Committee Work
October 2, 2024	<ul style="list-style-type: none"> • Requirements related to winter maintenance and chloride minimization design practices • Changes to linear project standards • Changes to permitted activities in floodplains • Stream and wetland buffers
October 2, 2024 Nov 6, 2024	Consider strategies, actions, and policies for addressing various goals (building on content developed during goal development). What changes, additions, deletions from 2015 policies are needed?
Nov 6, 2024 Dec 4, 2024	Continue discussion on strategies, actions, and policies
December 4, 2024 January 2025	Review updated CIP prioritization metrics to reflect this plan's priority issues. Review potential CIP projects 2026 – 2035.
January 2025 February 2025	Discuss implementation of plan including CIP implementation and staff capacity.
February 2025 March 2025	Catch up month for unfinished work from last few months. Review complete implementation program. Plan for Commission workshop
April 2025	Finalize policies and implementation program Review various plan sections Prepare recommendation on complete plan for Commission
May 2025	Review the complete Plan document
May 20 – July 20, 2025	60-day comment period
August 2025	Review comments and discuss draft responses to comments
September 2025	Review and finalize draft responses to comments Plan for public hearing (required per MN Rule 8410) Prepare recommendations to Commission
October 2025	
Nov 1 – Jan 31, 2025	90-day comment period; presentation to BWSR (likely week of Jan 5, 2026); target January 28, 2026 BWSR meeting for approval
February 2026	Final BWSR approval and Commission adoption (5 months past due)

*Plan TAC = Regular city TAC members plus state and local agencies and other partners



Bassett Creek Watershed Management Commission MEMO

Date: June 13, 2024
From: Laura Jester, Administrator
To: BCWMC Commissioners
RE: **Administrator's Report**

Aside from this month's agenda items, the Commission Engineers, city staff, committee members, and I continue to work on the following Commission projects and issues.

CIP Projects (more resources at <http://www.bassettcreekwmo.org/projects.>)

2019 Medicine Lake Road and Winnetka Avenue Area Long Term Flood Mitigation Plan Implementation Phase I: DeCola Ponds B & C Improvement Project (BC-2, BC-3 & BC-8) Golden Valley (No change since Nov 2021): A feasibility study for this project was completed in May 2018 after months of study, development of concepts and input from residents at two public open houses. At the May 2018 meeting, the Commission approved Concept 3 and set a maximum 2019 levy. Also in May 2018, the Minnesota Legislature passed the bonding bill and the MDNR has since committed \$2.3M for the project. The Hennepin County Board approved a maximum 2019 levy request at their meeting in July 2018. A BCWMC public hearing on this project was held on August 16, 2018 with no comments being received. Also at that meeting the Commission officially ordered the project and entered an agreement with the City of Golden Valley to design and construct the project. In September 2018, the City of Golden Valley approved the agreement with the BCWMC. The [Sun Post](#) ran an article on this project October 2018. Another public open house and presentation of 50% designs was held February 6, 2019. An EAW report was completed and available for public review and comment December 17 – January 16, 2019. At their meeting in February 2019, the Commission approved the 50% design plans. Another public open house was held April 10th and a public hearing on the water level drawdown was held April 16th. 90% Design Plans were approved at the April Commission meeting. It was determined a Phase 1 investigation of the site is not required. The City awarded a contract to Dahn Construction for the first phase of the project, which involves earthwork, utilities, and trail paving and extends through June 2020. Dewatering began late summer 2019. Tree removal was completed in early winter; excavation was ongoing through the winter. As of early June 2020, earth work and infrastructure work by Dahn Construction is nearly complete and trail paving is complete. Vegetative restoration by AES is underway including soil prep and seeding. Plants, shrubs, and trees will begin soon along with placement to goose protection fencing to help ensure successful restoration. The construction phase of this project was completed in June with minor punch list items completed in September. The restoration and planting phase is complete except for minor punch list items and monitoring and establishment of vegetation over three growing seasons. A final grant report for BWSR's Watershed Based Implementation Funding was submitted at the end of January. City staff recently completed a site walk through to document dead or dying trees and shrubs in need of replacement (under warranty). This project (along with Golden Valley's Liberty Crossing Project) recently received the award for "Project of the Year" from the Minnesota Association of Floodplain Managers as part of the overall Project website: <http://www.bassettcreekwmo.org/index.php?CID=433> .

2020 Bryn Mawr Meadows Water Quality Improvement Project (BC-5), Minneapolis: A feasibility study by the Commission Engineer was developed in 2018 and approved in January 2019. The study included wetland delineations, soil borings, public open houses held in conjunction with MPRB's Bryn Mawr Meadows Park improvement project, and input from MPRB's staff and design consultants. Project construction year was revised from 2020 and 2022 to better coincide with the MPRB's planning and implementation of significant improvements and redevelopment Bryn Mawr Meadows Park where the project will be located. A public hearing for this project was held September 19, 2019. The project was officially ordered at that meeting. In January 2020 this project was awarded a \$400,000 Clean Water Fund grant from BWSR; a grant work plan was completed and the grant with BWSR was fully executed in early May 2020. The project and the grant award was the subject of an article in the Southwest Journal in February: <https://www.southwestjournal.com/voices/green-digest/2020/02/state-awards-grant-to-bryn-mawr-runoff-project/>. In September 2020, Minneapolis and MPRB staff met to review the implementation agreement and maintenance roles.

BCWMC developed options for contracting and implementation which were presented at the November meeting. At that meeting staff was directed to develop a memorandum of understanding or agreement among BCWMC, MPRB, and city of Minneapolis to recognize and assign roles and responsibilities for implementation more formally. The draft agreement was developed over several months and multiple conversations among the parties. At the May 2021 meeting the Commission approved to waive potential conflict of the Commission legal counsel and reviewed a proposal for project design by the Commission Engineer. The updated design proposal and the design agreement among all three parties were approved at the June 2021 meeting. Four public open houses were held in the park in 2021 to gather input on park concepts. Project partners met regularly throughout design to discuss schedules, planning and design components, and next steps. Concept designs were approved by the MRPB Board in late 2021. Staff met with MnDOT regarding clean out of Penn Pond and continue discussions. 50% design plans were approved by the Commission at the January 2022 meeting; 90% design plans were approved at the March 2022 meeting along with an agreement with MPRB and Minneapolis for construction. The agreement was approved by all three bodies. Commission Engineers finalized designs and assisted with bidding documents. Bids were returned in early August. At the meeting in August, the Commission approved moving forward with project construction (through MPRB), and approved a construction budget (higher than previously budgeted) and an amended engineering services budget. MPRB awarded the construction contract. In late November the contractor began the initial earthwork and started on portions of the stormwater pond excavations. By late December the 1st phase of construction was complete with the ponds formed and constructed. The contractor began driving piles in late January and began installing underground piping in early February. At the March meeting, the Commission approved an increase to the engineering services budget and learned the construction budget is currently tracking well under budget. The change order resulting from the City of Minneapolis' request to replace a city sewer pipe resulted in extra design/engineering costs that were approved by the Administrator so work could continue without delays. The MPRB will reimburse the Commission for those extra costs and will, in-turn, be paid by the city. In early May construction was focused in the Morgan / Laurel intersection. The right-of-way storm sewer work is complete including the rerouting of some of the existing storm infrastructure and installation of the stormwater diversion structures. Construction of the ponds is complete and stormwater from the neighborhood to the west is now being routed through new storm sewers to the ponds. Vegetation is currently being established around the ponds. At the October meeting the Commission approved an amendment to the agreement with MPRB and Minneapolis in order to facilitate grant closeout. At the December meeting the Commission approved a partial reimbursement to MPRB for \$400,000. Corrections to a weir that was installed at the wrong elevation have been made. A final grant report was submitted to the MN Board of Water and Soil Resources in late January and was recently approved along with the final grant payment. Project as-built drawings are being prepared along with an operations and maintenance plan. Final reimbursement requests from MPRB and Minneapolis are expected later this year. Project website: <http://www.bassettcreekwmo.org/projects/all-projects/bryn-mawr-meadows-water-quality-improvement-project>

2020 Jevne Park Stormwater Improvement Project (ML-21) Medicine Lake (No change since July 2023): At their meeting in July 2018, the Commission approved a proposal from the Commission Engineer to prepare a feasibility study for this project. The study got underway last fall and the city's project team met on multiple occasions with the Administrator and Commission Engineer. The Administrator and Engineer also presented the draft feasibility study to the Medicine Lake City Council on February 4, 2019 and a public open house was held on February 28th. The feasibility study was approved at the April Commission meeting with intent to move forward with option 1. The city's project team is continuing to assess the project and understand its implications on city finances, infrastructure, and future management. The city received proposals from 3 engineering firms for project design and construction. At their meeting on August 5th, the Medicine Lake City Council voted to continue moving forward with the project and negotiating the terms of the agreement with BCWMC. Staff was directed to continue negotiations on the agreement and plan to order the project pending a public hearing at this meeting. Staff continues to correspond with the city's project team and city consultants regarding language in the agreement. The BCWMC held a public hearing on this project on September 19, 2019 and received comments from residents both in favor and opposed to the project. The project was officially ordered on September 19, 2019. On October 4, 2019, the Medicine Lake City Council took action not to move forward with the project. At their meeting in October 2019, the Commission moved to table discussion on the project. The project remains on the 2020 CIP list. In a letter dated January 3, 2022, the city of Medicine Lake requested that the Commission direct its engineer to analyze alternatives to the Jevne Park Project that could result in the same or similar pollutant removals and/or stormwater storage capacity. At the March meeting, the Commission directed the Commission Engineer to prepare a scope and budget for the alternatives analysis which were presented and discussed at the April 2022 meeting. No action was taken at that meeting to move forward with alternatives analysis. In May and June 2023, Commission staff discussed the possibility of incorporating stormwater management features into a redevelopment of Jevne Park currently being considered by the City of Medicine

Lake. After review of the preliminary park design plans, the Commission Engineer and I recommended implementation of the original CIP Project to the City. Project webpage: <http://www.bassettcreekwmo.org/index.php?cID=467>.

2014 Schaper Pond Diversion Project and Carp Management, Golden Valley (SL-3) (No change since March): Repairs to the baffle structure were made in 2017 after anchor weights pulled away from the bottom of the pond and some vandalism occurred in 2016. The city continues to monitor the baffle and check the anchors, as needed. Vegetation around the pond was planted in 2016 and a final inspection of the vegetation was completed last fall. Once final vegetation has been completed, erosion control will be pulled and the contract will be closed. The Commission Engineer began the Schaper Pond Effectiveness Monitoring Project last summer and presented results and recommendations at the May 2018 meeting. Additional effectiveness monitoring is being performed this summer. At the July meeting the Commission Engineer reported that over 200 carp were discovered in the pond during a recent carp survey. At the September meeting the Commission approved the Engineer's recommendation to perform a more in-depth survey of carp including transmitters to learn where and when carp are moving through the system. At the October 2020 meeting, the Commission received a report on the carp surveys and recommendations for carp removal and management. Carp removals were performed through the Sweeney Lake Water Quality Improvement Project. Results were presented at the February 2021 meeting along with a list of options for long term carp control. Commission took action approving evaluation of the long-term options to be paid from this Schaper Pond Project. Commission and Golden Valley staff met in March 2021 to further discuss pros and cons of various options. At the September 2021 meeting, the Commission approved utilizing an adaptive management approach to carp management in the pond (\$8,000) and directed staff to discuss use of stocking panfish to predate carp eggs. Commission Engineers will survey the carp in 2022. At the April meeting, the Commission approved panfish stocking in Schaper Pond along with a scope and budget for carp removals to be implemented later in 2022 if needed. Commission staff informed lake association and city about summer activities and plans for a fall alum treatment. Approximately 1,000 bluegills were released into Schaper Pond in late May. Carp population assessments by electroshocking in Sweeney Lake and Schaper Pond were completed last summer. A report on the carp assessment was presented in January. Monitoring in Schaper Pond in 2023 and a reassessment of carp populations in 2024 were approved in early 2023. Carp box netting in 2024 is also approved, as needed. Water monitoring in the pond was performed in summer 2023. A carp survey will proceed this summer and box netting, if needed. The Commission Engineer will provide updates as work progresses. Project webpage: <http://www.bassettcreekwmo.org/index.php?cID=277>.

2014 Twin Lake In-lake Alum Treatment, Golden Valley (TW-2): (No change since June 2018) At their March 2015 meeting, the Commission approved the project specifications and directed the city to finalize specifications and solicit bids for the project. The contract was awarded to HAB Aquatic Solutions. The alum treatment spanned two days: May 18- 19, 2015 with 15,070 gallons being applied. Water temperatures and water pH stayed within the desired ranges for the treatment. Early transparency data from before and after the treatment indicates a change in Secchi depth from 1.2 meters before the treatment to 4.8 meters on May 20th. There were no complaints or comments from residents during or since the treatment.

Water monitoring continues to determine if and when a second alum treatment is necessary. Lake monitoring results from 2017 were presented at the June 2018 meeting. Commissioners agreed with staff recommendations to keep the CIP funding remaining for this project as a 2nd treatment may be needed in the future. Project webpage: <http://www.bassettcreekwmo.org/index.php?cID=278>.

2013 Four Seasons Area Water Quality Project (NL-2) (No change since Nov): At their meeting in December 2016, the Commission took action to contribute up to \$830,000 of Four Seasons CIP funds for stormwater management at the Agora development on the old Four Seasons Mall location. At their February 2017 meeting the Commission approved an agreement with Rock Hill Management (RHM) and an agreement with the City of Plymouth allowing the developer access to a city-owned parcel to construct a wetland restoration project and to ensure ongoing maintenance of the CIP project components. At the August 2017 meeting, the Commission approved the 90% design plans for the CIP portion of the project. At the April 2018 meeting, Commissioner Prom notified the Commission that RHM recently disbanded its efforts to purchase the property for redevelopment. In 2019, a new potential buyer/developer (Dominium) began preparing plans for redevelopment at the site. City staff, the Commission Engineer and I have met on numerous occasions with the developer and their consulting engineers to discuss stormwater management and opportunities with

“above and beyond” pollutant reductions. Concurrently, the Commission attorney has been working to draft an agreement to transfer BCWMC CIP funds for the above and beyond treatment. At their meeting in December, Dominion shared preliminary project plans and the Commission discussed the redevelopment and potential “above and beyond” stormwater management techniques. At the April 2020 meeting, the Commission conditionally approved the 90% project plans. The agreements with Dominion and the city of Plymouth to construct the project were approved May 2020 and project designers coordinated with Commission Engineers to finalize plans per conditions. In June 2021, the City of Plymouth purchased the property from Walmart. The TAC discussed a potential plan for timing of construction of the stormwater management BMPs by the city in advance of full redevelopment. At the August 2021 meeting, the Commission approved development of an agreement per TAC recommendations. The city recently demolished the mall building and removed much of the parking lot. At the December meeting the Commission approved the 90% design plans and a concept for the city to build the CIP project ahead of development and allow the future developer to take credit for the total phosphorus removal over and above 100 pounds. At the July meeting, the Commission approved an agreement with the city to design, construct, and maintain the CIP project components and allow a future developer to use pollutant removal capacity above 100 pounds of total phosphorus. A fully executed agreement is now filed. The updated 90% project plans were approved at the September meeting. Unfortunately, city staff recently indicated that due to permitting inconsistencies with the U.S. Army Corps of Engineers, the project will not be built this winter as planned. The city is now planning to construct the project in the fall and winter of 2024. Project webpage: <http://www.bassettcreekwmo.org/index.php?cID=282>.

2021 Parkers Lake Chloride Reduction Project (PL-7) (No change since March): The feasibility study for this project was approved in May 2020 with Alternative 3 being approved for the drainage improvement work. After a public hearing was held with no public in attendance, the Commission ordered the project on September 17, 2020 and entered an agreement with the city of Plymouth to implement the project in coordination with commission staff. City staff and I have had an initial conversation about this project. The city plans to collect additional chloride data this winter in order to better pinpoint the source of high chlorides loads within the subwatershed. Partners involved in the Hennepin County Chloride Initiative (HCCI) are interested in collaborating on this project. A proposal from Plymouth and BCWMC for the “Parkers Lake Chloride Project Facilitation Plan” was approved for \$20,750 in funding by the HCCI at their meeting in March. The project will 1) Compile available land use data and chloride concentrations, 2) Develop consensus on the chloride sources to Parkers Lake and potential projects to address these sources, and 3) Develop a recommendation for a future pilot project to reduce chloride concentrations in Parkers Lake, which may be able to be replicated in other areas of Hennepin County, and 4) help target education and training needs by landuse. A series of technical stakeholder meetings were held last fall and winter to develop recommendations on BMPs. A technical findings report was presented at the July 2022 meeting. At the September 2022 meeting, the Commission approved a scope and budget for a study of the feasibility of in-lake chloride reduction activities which was presented at the November meeting. Following direction from the Commission, Commission staff are preparing a scope for a holistic plan for addressing chloride runoff from the most highly contributing subwatershed. Commission Engineers and Administrator recently met with city staff and the WMWA educator to discuss outreach, possibly highly contributing properties, data needs, and possible approaches to reducing chlorides. Project website: www.bassettcreekwmo.org/projects/all-projects/parkers-lake-drainage-improvement-project

2022 Medley Park Stormwater Treatment Facility (ML-12) (No change since February): The feasibility study for this project is complete after the Commission Engineer’s scope of work was approved last August. City staff, Commission Engineers and I collaborated on developing materials for public engagement over the fall/early winter. A project kick-off meeting was held in September, an internal public engagement planning meeting was held in October, and a Technical Stakeholder meeting with state agencies was held in November. A [story map of the project](#) was created and a survey to gather input from residents closed in December. Commission Engineers reviewed concepts and cost estimates have been reviewed by city staff and me. Another public engagement session was held in April to showcase and receive feedback on concept designs. The feasibility report was approved at the June meeting with a decision to implement Concept #3. At the July meeting the Commission directed staff to submit a Clean Water Fund grant application, if warranted. A grant application was developed and submitted. Funding decisions are expected in early December. A public hearing on this project was held in September with no members of the public attending. In September, a resolution was approved to officially order the project, submit levy amounts to the county, and enter an agreement with the city to design and construct the project. The city hired Barr Engineering to develop the project designs which are now underway. The BCWMC received a \$300,000 Clean Water Fund grant from BWSR in December 2021 and the grant agreement approved in March 2022. 50% design plans were approved in February 2022 and 90% plans were approved at

the May 2022 meeting. Final plans and bid documents were developed by the city's consultation (Barr Engineering). Construction began in November and winter construction was finished in late January 2023. Activities this spring included completing grading (topsoil adjustments); paving (concrete, bituminous); light pole and fixture install; benches install; site clean up and prep for restoration contractor. In late May, Peterson Companies completed their construction tasks and the project transitioned to Traverse de Sioux for site restoration and planting. A small area of unexpected disturbance from construction was added to the overall area to be restored with native plants through a minor change order. Site restoration, planting, and seeding was completed in late June. An interim grant report was submitted to the MN Board of Water and Soil Resources in late January. www.bassettcreekwmo.org/projects/all-projects/medley-park-stormwater-treatment-facility

2022 SEA School-Wildwood Park Flood Reduction Project (BC-2, 3, 8, 10) (No change since December): The feasibility study for this project is complete after the Commission Engineer's scope of work was approved last August. A project kick-off meeting with city staff was held in late November. Meetings with city staff, Robbinsdale Area School representatives, and technical stakeholders were held in December, along with a public input planning meeting. A virtual open house video and comment form were offered to the public including live chat sessions on April 8th. The feasibility study report was approved in June with a decision to implement Concept #3. A public hearing on this project was held in September with no members of the public attending. In September, a resolution was approved to officially order the project, submit levy amounts to the county, and enter an agreement with the city to design and construct the project. The city hired Barr Engineering to develop the project designs which are now underway. A virtual public open house was held February 3rd. 50% Design Plans were approved at the January meeting. A public open house was held September 29th. 90% were approved at the October Commission meeting. Six construction bids were received in late February with several of them under engineer's estimates. The city contracted with Rachel Contracting and construction got underway earlier this spring. By late June excavation was completed and the playground area was prepped and ready for concrete work to begin on July 5. Bids were open for the SEA School/Wildwood Park restoration project on June 20. Three bids were received and two came in right around our estimate. The city is recommending the low bidder (Landbridge Ecological). At the end of July utility crews lowered the watermain and installed the storm sewer diversions into the park from along Duluth Street. The hydrodynamic separator was also set (with a crane). Crews also worked on the iron-enhanced sand filter and the outlet installation, stone work on the steepened slopes, trail prep, bituminous paving, and concrete work (curb and gutter, pads, and ADA ramps). The preconstruction meeting for the restoration work was held with work to begin late August or early September. The city awarded the contract for the DeCola Pond D outlet work to Bituminous Roadways Inc. in August. The SEA School site construction is complete and restoration work is complete for the season. The DeCola Pond D outlet replacement and site restoration is also now complete.

Project webpage: www.bassettcreekwmo.org/projects/all-projects/sea-school-wildwood-park-flood-reduction-project.

Bassett Creek Restoration Project: Regent Ave. to Golden Valley Rd. (2024 CR-M), Golden Valley:

A feasibility study for this project got underway in fall 2022. A public open house was held March 1st with 30 residents attending. The draft feasibility report was presented at the April meeting. A final feasibility report was presented at the June meeting where the Commission approved the implementation of Alternative 3: to restore all high, medium, and low priority sites. A Clean Water Fund grant application for \$350,000 was recently developed and submitted to BWSR. The Commission held a public hearing on this project at its September meeting and officially ordered the project and set the final levy. An agreement with the City of Golden Valley to implement the project was drafted by the Commission Attorney recently reviewed by city staff. Commission staff and city staff continue to work through development of an implementation agreement. Project website: <https://www.bassettcreekwmo.org/projects/all-projects/bassett-creek-restoration-project-regent-ave-golden-valley-r>

Ponderosa Woods Stream Restoration Project, Plymouth (ML-22): A feasibility study for this project got underway in fall 2022. A public open house was held February 13th with 3 residents attending. The draft feasibility report was presented at the May meeting and additional information was presented at the June meeting where the Commission approved implementing Alternative 1.5. The Commission held a public hearing on this project at its September meeting and officially ordered the project, set the final levy, and approved an agreement with the City of Plymouth for project implementation. Plymouth hired Midwest Wetland Improvements to design the project. 60% designs are slated to be presented at the June Commission meeting. A public open house is planned for late June and construction is likely to get underway in late fall/early winter. Project website: <https://www.bassettcreekwmo.org/projects/all-projects/ponderosa-woods-stream-restoration-project>.

Sochacki Park Water Quality Improvement Project (BC-14) (No change since May): This project is proposed to be added to the CIP through a minor plan amendment as approved at the March Commission meeting with CIP funding set at \$600,000. The project involves a suite of projects totaling an estimated \$2.3M aimed improving the water quality in three ponds and Bassett Creek based on a subwatershed analysis by Three Rivers Park District (TRPD). A memorandum of understanding about the implementation process, schedules, and procedural requirements for the project was executed in April among BCWMC, TRPD, and the cities of Golden Valley and Robbinsdale. A feasibility study is underway for the project and is being funded by TRPD. The feasibility study kick off meeting was held June 5th. Information on the project and an update on the feasibility study was presented at the June meeting. A technical stakeholder meeting was held July 10th. A public open house was held July 26th and a Phase I Environmental Site Assessment was recently completed. The draft feasibility study was presented at the August meeting and the final feasibility study was approved at the September meeting. The Commission held a public hearing on this project at its September meeting and officially ordered the project and set the final levy. Project partners recently met to review a scope and budget for design and discuss construction sequencing, funding availability, and cooperative agreement provisions. TRPD was recently awarded \$1.6M in federal funding for this project and other facility investments in Sochacki Park. Staff provided a project update at the March meeting. A cooperative agreement with TRPD and Robbinsdale was approved at the April meeting. The Sun Post recently printed an article on the project. Project webpage: <https://www.bassettcreekwmo.org/projects/all-projects/sochacki-park-water-quality-improvement-project>.

Plymouth Creek Restoration Project Dunkirk Lane to 38th Ave. North (2026 CR-P): A scope and budget for a feasibility study was approved at the October meeting. A project kick off meeting was held November 3rd and a technical stakeholder meeting was held December 5th. Field investigations and desktop analyses are complete. Site prioritization ranking criteria are being developed and concept designs are being developed. A public open house was held on March 11th. Residents who attended are in favor of the project and had questions about impacts to trees, potential construction activities in specific reaches, and buckthorn removal. The feasibility study was approved at the May meeting with Option 3a being approved for implementation. Project webpage: <https://www.bassettcreekwmo.org/projects/all-projects/plymouth-creek-restoration-dunkirk-lane-38th-ave-n>.

Administrator Activities May 8 – June 12, 2024

Subject	Work Progress
CIP and Technical Projects	<ul style="list-style-type: none"> • <u>Sweeney Lake EWM Eradication Project</u>: Continued coordination with Sweeney Lake Assoc, Commission Engineers, and Hennepin County on plans for surveys of Eurasian watermilfoil on ponds upstream from Sweeney Lake including mailing a notice to adjacent landowners • <u>Bryn Mawr Meadows Water Quality Project</u>: Participated in meeting with city, MPRB, and SCWMO representatives to review process, challenges, and lessons learned from the project. Corresponded with MPLS staff re: payment for city pavement work • <u>Crane Lake Chloride Reduction Demonstration Project</u>: Reviewed first draft of scope for initial investigation from Commission Engineer • <u>Plymouth Creek Restoration Project</u>: Corresponded with Commission Engineer re: final study document
Education and Outreach	<ul style="list-style-type: none"> • Reviewed meeting materials and participated in West Metro Water Alliance meeting • Participated in a Watershed Equity Workshop sponsored by U of M • Assisted with coordination of and attended the Haha Wakpdan event in conjunction with MWMO • Provided information to MPCA staff in preparation of a tour with students at Schaper Pond • Coordinated with CAMP volunteers and picked up samples; delivered to NMCWD for Met Council pick up • Gave water quality presentation to three 4th grade classes at Zachary Lane Elementary(due to WMWA educator position vacancy) • Coordinated volunteers for St. Louis Park Ecotacular event • Participated in a reconvening of the Hennepin County Chloride Initiative • Attended Watershed Equity Alliance Workshop
Administration	<ul style="list-style-type: none"> • Developed agenda; reviewed invoices and submitted expenses spreadsheet to Plymouth; reviewed financial report; drafted May meeting minutes; reviewed memos, reports, and documents for

	<p>Commission meeting; printed and disseminated meeting information to commissioners, staff, and TAC; updated online calendar; drafted meeting follow up email; ordered catering for June Commission meeting</p> <ul style="list-style-type: none"> • Participated in pre-meeting call with Commission Engineer and Chair Cesnik • Gathered and compiled comments on JPA document from member cities • 2023 audit assistance: correspondence and answering some questions • Prepared agenda and materials for Budget Committee meeting; developed draft 2025 budget; attended meeting and prepared memo from committee to Commission • Discussed/corresponded re: possible maintenance levy with SCWMO, Commission Attorney, and Commission Engineers • Arranged for second “convene meeting” to discuss Watershed Based Implementation Funds • Reviewed initial grant inquiry document for H&H model update/conversion project • Prepared agenda for TAC meeting and participated in meeting • Discussed future TMDLs and subwatershed analyses with MPCA staff
MN Watersheds	<ul style="list-style-type: none"> •
2025 Watershed Management Plan	<ul style="list-style-type: none"> • Met with Commission Engineers for bi-weekly check in meetings • Drafted meeting minutes for May PSC meeting • Updated progress tracker for PSC and Commission meetings • Prepared agenda and assisted with preparing materials for June PSC meeting; attended meeting