

POLICY ADVISORY GROUP

Minutes of Meeting of April 16, 2001

Members Present: Chair Lee Gustafson and Members Bobby Young, Dan Donahue, Ginny Black, Bill Joynes, and Anne Norris

Also Present: Commission Counsel Charlie LeFevere

The meeting was convened by Chair Gustafson at 8:30 a.m. at Minnetonka City Hall.

Charlie LeFevere reported that the formula for allocating costs of capital projects among Commission members for the Shingle Creek Water Management Commission is essentially the same as that of the Bassett Creek Commission.

The group discussed the assignment of responsibility and allocation of costs for flood control improvements. The group identified a number of factors to be considered in assigning responsibility among the cities. These included:

1. Costs could be split among all cities on the same basis as the current formula.
2. Costs could take into account local benefit.
3. Costs could be allocated on a subwatershed basis.
4. The Commission might consider the relationship of the improvement to the main or trunk line of Bassett Creek.
5. The Commission could consider the source of the water at the point where the improvement was needed.
6. Consideration could be given to the aesthetic value of the conveyance system.
7. Even though flooding is not a problem in upstream areas, those areas can have a benefit from flood control projects because development, or creation of new hard surface coverage, may be allowed.
8. Consideration could be given to giving credit to a city for infrastructure that it has already put in place locally.
9. Flood control may have a different basis for cost allocation than water quality improvements.
10. Flood control may already have been addressed with the construction of past projects by the Commission.

11. Minor improvements or refinements that come up in the future could be constructed on the same basis as the original flood control project. However, there is a question how to address projects when the overall flood control system is working, but it causes local problems that can be addressed by further improvements (e.g. too much retention time, damaging plant life, etc.). Perhaps payment of projects that are designed to fine-tune the overall system could be paid on the same cost allocation basis as has been used in the past, but new projects necessitated by, for example, changes in land use might be financed on a different basis.

It was generally agreed that the method used for allocating cost of past flood control projects worked well. The group also agreed that this approach should be used in the future and that future flood control improvements should be financed on the following basis:

- Improvements or refinements to structures built under the original flood control project should be constructed and funded on the same basis as the original flood control project.
- Projects that are designed to fine-tune the overall system (features that would have probably been built originally if more information would have been known initially) should be paid for on the same basis as the original flood control project.
- New projects necessitated by, for example, changes in land use, should be financed by the city(s) making the change.

The group then discussed responsibility and cost allocation for maintenance of structures, and the creek. The following factors were identified that might be considered in determining such responsibility:

1. Whether the problem (such as sedimentation) is resulting in a loss of flood control capacity.
2. Traditionally, maintenance has been a local responsibility.
3. Maintenance of structures that were a part of the flood control project should be financed on the same basis as the original project.
4. Some maintenance issues may be more of a regional nature (such as retention capacity) while others (such as meandering of a stream) may be more local in nature.
5. Failure to maintain stream banks may result in more sedimentation in lakes.
6. It was decided that Len should be requested to come to the next policy advisory group meeting to identify potential stream-bank maintenance problem locations and possible methods of allocating payments, or at least factors to consider.
7. One factor in allocating cost might be whether regional factors have caused or contributed to a problem (e.g. mandated in-fill development or increased density, or problems created by MnDOT or the regional transportation system).

It was decided that, at the next meeting, the group would like to review creek maintenance responsibilities sorted into two categories, volume and non-volume. The volume category would include maintenance needs to restore an area to the designed flow rate. The non-volume category would include primarily aesthetic improvements.

Lee indicated that Barr would be sending out summarized water quality information for all the water bodies previously studied to assist in future group discussions.

Future meetings were set for May 21, 2001; June 11, 2001; July 16, 2001; and August 6, 2001.