



## **Bassett Creek Watershed Management Commission**

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# **A g e n d a**

**Thursday, December 16, 2004**

**12:00 Noon**

**Golden Valley City Hall**

**7800 Golden Valley Road**

### **Call to Order**

**Presentation of November 18, 2004 Minutes**

**Presentation of Financial Statements**

**Presentation of Invoices for Payment Approval**

- **Request for approval of payment for floodproofing at 2445 Regent Avenue North and 4975 Bassett Creek Drive**
- **BCWMC WOMP Reimbursement for 2004**

### **Communications**

**Chairman**

- **Citizen Input on Non-Agenda Items**

**Counsel**

**Commissioners**

**Engineer**

### **New Business**

- **Vicksburg Lane Pumping Station**
- **Hennepin County River Watch Program**

### **Old Business**

- **Lakeview Park Pond: Golden Valley**
- **2005 Channel Maintenance Fund**
- **Capital Improvement Projects**
- **Plat Review Procedure**
- **Requirements for Improvements and Development Proposals**
- **LGU Reviews as Part of Wetland Conservation Act Issues**
- **Minneapolis Water Quality Task Force**
- **Wirth Lake Water Quality Improvement Project**
- **Administrative Options Subcommittee Report**
- **Website Update**

### **January Meeting**

- **Direct auditor to prepare audit report**
- **Terms ending for Plymouth, Robbinsdale, and St. Louis Park (January 31, 2005)**
- **Consider public hearing for Medicine Lake In-Lake Herbicide Treatment (moved to 2005 & 2006)**
- **Minneapolis Local Surface Water Management Plan – Phase 1**

### **Adjournment**

# Bassett Creek Watershed Management Commission

## Minutes of the Meeting of November 18, 2004

### Call to Order

The Bassett Creek Watershed Management Commission was called to order at 12:05 Noon, Thursday, November 18, 2004, at the City of Golden Valley City Hall by Vice Chair Welch.

### Roll Call

<i>Crystal</i>	Commissioner Pauline Langsdorf	<i>Counsel</i>	Charlie LeFevere
<i>Golden Valley</i>	Commissioner Linda Loomis, Treasurer	<i>Engineer</i>	Len Kremer
<i>Medicine Lake</i>	Not represented	<i>Recorder</i>	Pat Schutrop
<i>Minneapolis</i>	Commissioner Michael Welch, Vice Chair		
<i>Minnetonka</i>	Commissioner Bill Yaeger, Secretary		
<i>New Hope</i>	Commissioner Mary Gwin-Lenth		
<i>Plymouth</i>	Commissioner Elizabeth Thornton		
<i>Robbinsdale</i>	Commissioner Karla Peterson		
<i>St. Louis Park</i>	Not represented		

Also present: David Hanson, Alternate Commissioner, city of Golden Valley  
Kelly MacIntyre, Technical Advisory Committee, city of Minneapolis  
Tom Mathisen, Technical Advisory Committee, city of Crystal  
Laura Adler, BCWMC Technical Advisory Committee, city of St. Louis Park  
Jeff Oliver, BCWMC Technical Advisory Committee, city of Golden Valley  
Bill Deblon, BCWMC Technical Advisory Committee, city of Robbinsdale  
Terrie Christian, Association of Medicine Lake Area Citizens  
Ginny Black, City Council Member, city of Plymouth  
Bryan Ripp, Applied Ecological Services, Inc.

### Approval and/or Correction of Minutes

The minutes for the September 16, 2004 meeting were presented. The following corrections are noted:

- [Terrie Christian] Citizens Input on Non-Agenda Items, Page 5, No. 2, line 1, change to read: Ms. Christian pointed out that the city of Plymouth AMLAC has an erosion policy where developers cannot remove...
- [Mayor Loomis] Page 4, paragraph 3, line 2, change to read: "...report states \$182,700. Mr. Kremer said that the \$184,000 was a rounded number, but the actual cost is if..."

Mr. Yaeger moved and Ms. Thornton seconded the motion to approve the minutes with the correction noted. Carried unanimously.

### Financial Statements

Mayor Loomis presented the Treasurers' Report as of November 18, 2004. The current balances are as follows:

Checking Account Balance	\$63,106.91
Commercial Paper (due 12/15/04)	99,838.89
<b>TOTAL GENERAL FUND BALANCE</b>	<b>\$162,945.80</b>

Construction Account Balance	\$492,139.34
Commercial Paper (due 12/15/04)	499,194.44
Commercial Paper (due 1/18/05)	996,325.00
Commercial Paper (due 2/14/05)	497,312.50
<b>TOTAL CONSTRUCTION ACCOUNT BALANCE</b>	<b>\$2,484,971.28</b>

Mayor Loomis pointed out that the investment and interest rates are shown on the report. In discussions with Sue Virnig, Deputy Treasurer for BCWMC, concerning interest earned, Ms. Virnig said it is difficult to invest in higher interest rate funds because it is not known when invoices will be submitted. The Second Generation Plan capital improvements program (CIP) projects are now shown on the report. Currently, the expenses shown for the CIP projects are for administrative and legal costs.

The Treasurers report was accepted as presented and ordered to be filed subject to audit.

### ***Presentation of Invoices to be Paid***

The following invoices were presented for approval:

1. An invoice was received from Barr Engineering Company for professional services during the period September 4, 2004 through November 5, 2004, in the amount of \$32,334.21.

Ms. Thornton asked Barr to clearly distinguish the CIP projects on Barr's invoices.

Mr. Yaeger moved and Ms. Gwin-Lenth seconded approval for payment of claims as set forth on the invoice. Upon call of the roll, the vote was carried.

2. An invoice was received from Pat Schutrop for administrative services during the period of September 4, 2004 through November 5, 2004, in the amount of \$4,679.30

Ms. Langsdorf moved and Mr. Welch seconded approval for payment of claims as set forth on the invoice. Upon call of the roll, the vote was carried.

3. An invoice was received from Kennedy & Graven for the third quarter 2004 for professional services during the third quarter 2004 in the amount of \$6,449.27. The complete invoice was received by the Ms. Virnig; however, the meeting packet included only a partial invoice. Vice Chair Welch directed the Commission to approve the invoice received in the meeting packet (\$3,506.77) and the remainder of invoice will be approved at the next Commission meeting.

Ms. Peterson moved and Ms. Gwin-Lenth seconded approval for payment of claims as set forth on the invoice in the amount of \$3,506.77 (included in the meeting packet). Upon call of the roll, the vote was carried.

4. An invoice was received from the city of Golden Valley for financial services provided to the BCWMC during 2004 in the amount \$1,000.

Ms. Gwin-Lenth moved and Ms. Loomis seconded approval for payment of claims as set forth on the invoice. Upon call of the roll, the vote was carried.

## **Communications**

### *Chairman:*

1. A meeting notice was received from the city of Plymouth for the Environmental Quality Board meeting that took place on October 13.
2. A communication was received from the Metropolitan Council concerning the 2003 census of lake water quality.
3. A copy of the city of Plymouth Surface Water Task Force Final Report was received.
4. A notice was received from the city of Plymouth regarding an online subscription service for Plymouth Environmental Quality Committee agendas available through the city website.
5. Correspondence was received from the Minnehaha Creek Watershed District regarding minor plan amendments to the Minnehaha Creek Watershed District Water Resources Management Plan.
6. Correspondence was received from the city of Minneapolis concerning the Minneapolis Local Surface Water Management Plan.

### *Citizen Input on Non-Agenda Items:*

1. Ms. Ginny Black, City Council Member for the city of Plymouth, announced that the city will be taking action at its upcoming meeting to appoint her as the commissioner representing the city of Plymouth and Ms. Thornton will become the alternate commissioner. Ms. Thornton added she has been conscious of the fact that the Commission is now using taxation to fund projects and feels strongly that an elected person from the city should make those decisions.

### *Counsel:*

No communications.

### *Commissioners:*

No communications.

### *Engineer:*

1. A letter was prepared and sent to Ms. Julia Liu, City of Minneapolis, in response to the Commission's comments received at the August meeting and comments received at a city of Minneapolis meeting that included various watershed management organizations. The WMOs' comments were similar in recognizing that the first phase of the plan as drafted did not address the importance of identifying additional problems in Minneapolis in respect to stormwater in the second phase report. The BCWMC comments included the need for the city to recognize and acknowledge additional considerations and make additions to the plan's capital improvements program. The recent response from the city of Minneapolis (dated November 9, 2004) stated their plan would address the WMOs' comments and expect to have a Phase 1 plan within a month for consideration by the BCWMC. The city requests the Commission return comments on the Phase I plan as soon as possible.

Ms. MacIntyre added the Phase 1 plan will be posted on the Minneapolis website in early December allowing 30 days for public comment. A final copy will go to the Commission after that review process for Commission review and comment. Vice Chair Welch asked to include this item on the January 2005 agenda for discussion by the Commission.

## **New Business**

- 1. Water Quality Task Force.** The city of Minneapolis has convened a Water Quality Task Force with representation from each of the watershed districts or watershed management organizations, a city council member, the Minneapolis mayor, and representatives of the Minneapolis Park & Recreation Board (MPRB). Mr. Welch is the BCWMC representative with the task force. One of the principal ideas of this group is to allow the watershed groups to work compatibly with each other (i.e., compare modeling, lake water quality standards, and monitoring results compiled, etc.). Mr. Welch believes it gives the watershed districts and communities valuable information on how to make the information more useful. The city is asking for dedicated staff time from the WMOs to participate in meetings (attending 3 or 4 meetings, 2 2/1 hours long, over the next year). Mr. Jeff Lee, Barr Engineering Company, has been identified as the staff member to represent the Commission on the task force.

Mr. Welch asked where the budget would come from if the Commission approves staff time to participate on the task force. Mr. Kremer said funding would come from the Surveys and Studies or Water Quality line items. Mr. Yaeger said it would be a good idea to determine what the cost would be and a not-to-exceed amount before authorizing staff time. Ms. Black said \$500 to \$600 a meeting was allocated for their staff attending the Medicine Lake subcommittee meetings. Mr. Kremer said if there is no preparation time involved, the cost would be about that or less.

Mr. Welch asked Mr. Kremer to report back to the Commission with a proposed not-to-exceed amount and what line item(s) the funds will be taken from for the Commission to consider at the December meeting.

- 2. 2004 Flood Control Project Inspections.** As part of the Flood Control Project agreement with the Corps of Engineers, the structures are to be inspected on a regular basis. The Commission engineering staff performed the inspection with the participation of city staff and prepared a memorandum summarizing the inspections. Overall, the project is in excellent condition with a few minor items for the cities to repair. Mr. Kremer requested permission to prepare letters to send to the communities responsible for the repairs.

Mr. Kremer pointed out that one project feature needed significant repair. There are some areas in the bottom of the double box culver portion of the tunnel where the concrete has spalled and those areas need to be repaired. A rough estimate to make the repairs is around \$15,000.

Routine maintenance is the cities' responsibility and structure modifications (like the double box culvert repair) are the responsibility of the Commission. Funding for the repairs to the double box culvert would come out of the Commission's Flood Control Long-Term Maintenance Fund. That fund currently has \$673,373. The Commission can either send a letter to the city of Minneapolis asking the city to make the structural repair and the Commission will reimburse the city or the Commission could hire a contractor to do the repair.

Ms. Loomis asked if the cracking and spalling that occurred in the new tunnel was expected to happen or should it have lasted longer and is there any recourse in attempting to recover costs from the original contractor. Mr. Kremer said it should have lasted longer since the concrete was poured in 1994, but did not think the Commission would be successful in recovering damages.

Ms. MacIntyre accompanied the engineering staff on the inspection and thought the city of Minneapolis would be willing to make the structural repair.

Mr. Welch asked what the status was of the repair items identified in 2002 and listed again in the current inspection report. Mr. Kremer said letters were sent to the cities addressing those items; however, for whatever reason, those repairs have not been made. Ms. Langsdorf asked if the

Commission could ask the cities to inform the Commission when the repairs are completed. Mr. Kremer said that would be an appropriate request by the Commission.

Ms. Thornton moved and Ms. Gwin-Lenth seconded the motion to authorize the Commission engineer to send letters to the member cities requesting them to make the repairs and routine maintenance as outlined in the inspection memorandum, and solicit the interest of the city of Minneapolis in making the structural repairs to the new tunnel double box culvert and requesting that an estimate of the repair cost be submitted to the Commission for approval prior to performing the repair work. Carried unanimously.

3. **Silver King Parking Expansion: Plymouth.** The city of Plymouth requested a review of a new parking lot to be constructed at an industrial site in the city of Plymouth. The developer would like to complete construction yet this fall. The purpose of the review request is that the developer is proposing to build a rain garden as an alternative to an infiltration pond. The Commission's water quality policy does provide for provisions to allow alternatives to ponds with dead storage with Commission approval. The developer is proposing to treat the 0.7 acres of the parking lot with a rain garden. Details of the rain garden are not received yet, but the developer indicated it would be designed to provide the same removal efficiency as dead storage. Mr. Kremer recommends conditional approval.

Mr. Welch asked if it were appropriate to require some type of maintenance agreement for the rain garden. Mr. Kremer said if it is appropriate, it would be between the city and the developer. Ms. Black said it would be appropriate for the Commission to recommend that the city of Plymouth have a maintenance agreement for the rain garden.

Mr. Welch suggested some future short session on rain gardens might be beneficial to the Commission. He added that a rain garden can be viewed at 42<sup>nd</sup> and Bloomington in Minneapolis where a project was recently completed. Mr. Kremer pointed out a rain garden tour will take place the first part of December. Ms. Black said that the Plymouth Environmental Quality Board is viewing a number of BMPs presented by the Nonpoint Education for Municipal Officials (NEMO) organization and interested commissioners can subscribe to the agendas via the Plymouth website.

Ms. Thornton moved approval of the project contingent on the condition stated in the engineer's memorandum to the Commission.

Ms. Loomis asked the motion be amended to include asking the city of Plymouth to consider a maintenance agreement for the rain garden. Ms. Thornton accepted the amendment.

Ms. Thornton moved and Ms. Langsdorf seconded approval of the motion as amended. Carried unanimously.

## **Old Business**

1. **DNR Permit Application: Wirth Lake Basin Improvements (CIP WTH-1).** A request was received from the Minneapolis Park & Recreation Board (MPRB) and the Department of Natural Resources (DNR) to comment on the MPRB's DNR permit application to repair a trail on the west side of Wirth Lake. This trail was washed out during a storm about a year ago. The trail is located immediately downstream of an area that was proposed to be used as a treatment pond for Wirth Lake as part of the Watershed Management Plan's Capital Improvements Program's Wirth Lake improvement project (WTH-1). At the same time repairs are made to the trail, the MPRB is proposing to install a new outlet in this wetland area to improve its capability of removing phosphorus and provide dead storage. The MPRB is also proposing to dredge the pond under the same construction contract. The MPRB would like to proceed so that the trail is again usable. Mr. Kremer recommends informing the

DNR that the permit is consistent with the Commission's proposed water quality improvement project.

The MPRB would like to receive reimbursement for the excavation done in the wetland as part of the project amounting to about \$40,000 to \$50,000. It is likely that the Wirth Lake project will be constructed by the MPRB as a result of discussions between the city of Minneapolis and the MPRB. The MPRB would like the trail modification complete before next spring when the MPRB will be ready to implement the remaining improvements for Wirth Lake.

Mr. Kremer said it would be appropriate for the Commission to inform the DNR that the Commission agrees with the MPRB's proposed plan. Mr. LeFevere agrees that some type of agreement should be in place before the MPRB does the work enabling them to receive reimbursement for the excavation. Mr. Kremer said based on discussions between the city of Minneapolis and the MPRB on which party will perform the work can be included in the Commission's contract agreement. Mr. Kremer recommends approval and requests Mr. LeFevere's assistance in setting in place what is necessary for the MPRB to receive reimbursement for the excavation from the Commission as part of the CIP water quality improvement for Wirth Lake. Mr. LeFevere added that it will need to be confirmed that the city of Minneapolis will not require reimbursement in excess of tax levy CIP funds available.

Ms. Loomis moved and Ms. Peterson seconded the motion to approve the engineer's recommendation for conditional approval of the Wirth Lake Basin Improvements (WTH-1) and the condition is that the final construction plans be provided to the Commission's engineer for review and approval. Carried unanimously.

2. **2004 Channel Maintenance Fund – Reimbursement.** An invoice was received from the city of Golden Valley for completion of the streambank stabilization project located at 215 King Road in Golden Valley. This project was approved in 2004 and the invoice is consistent with the agreement between the Commission and the city of Golden Valley. Mr. Kremer recommends approval.

Mr. Yaeger moved and Ms. Gwin-Lenth seconded the motion to approve payment of \$2,640 (50% of \$5,280) to the city of Golden Valley for reimbursement of funds used for the streambank stabilization project. Carried unanimously.

3. **2005 Channel Maintenance Fund.** Requests for the BCWMC 2005 channel maintenance funds have been received from the cities of Golden Valley and Plymouth.

The city of Golden Valley's request is for residential streambank stabilization at 4820 & 4840 Markay Ridge in Golden Valley. The project includes placement of riprap and filter along two erosion sites. The estimated cost to repair the streambank along 4820 & 4840 Markay Ridge is approximately \$5,000 and \$4,000, respectively (total cost approximately \$9,000).

The city of Plymouth identified 19 projects along Plymouth Creek in Section 1 between Medicine Lake and 26<sup>th</sup> Avenue for repair during 2005. The city estimates repair of the 19 sites will require stabilizing approximately 3,350 feet of creek shoreline for a total cost of about \$435,500.

The applications for the Channel Maintenance Fund are to be considered by the BCWMC Technical Advisory Committee (TAC) and the TAC will make recommendations to the BCWMC. The city of Plymouth will work in conjunction with the TAC in prioritizing the sites in Plymouth and work within the budget established according to the formula developed. Mr. Kremer recommends the requests be submitted to the TAC for consideration and to make a recommendation to the Commission at its next meeting.

Ms. Loomis moved and Ms. Thornton seconded the motion to forward the requests for the Channel Maintenance Fund to the Technical Advisory Committee for review and to make its recommendation at the next Commission meeting. Carried unanimously.

4. **Medicine Lake Ponds Status: Plymouth.** The city of Plymouth and BCWMC constructed two water quality ponds during 2004 as part of the BCWMC 1990 capital improvements plan. The two ponds are located in the same watershed as the Lakeview Park Pond in Golden Valley that will be discussed later during today's meeting. Construction of the two ponds is nearly complete. The Commission requested assistance from the Minnesota Department of Transportation to help complete the project. Mn/DOT offered its maintenance crews to remove the sediment deltas that have been deposited where the storm sewers enter the lake and that work is completed. Photos have been requested from the city of Plymouth to present to the Commission at an upcoming meeting.

Ms. Gwin-Lenth moved and Ms. Langsdorf seconded the motion to direct the Commission engineer to prepare a letter for the Commission chair's signature, and send it to the Minnesota Department of Transportation extending appreciation for their participation on this project. Carried unanimously.

5. **Twin Lake Pond Expansion (CIP TW-1).** The Twin Lake CIP project was discussed during the September 16, 2004 BCWMC meeting. It was one of the CIP projects considered for construction in 2005. The scope and cost of the Twin Lake project increased significantly exceeding the cost shown the CIP by more than 20%. A minor plan amendment is therefore necessary in order to request funding of the project. Mr. LeFevere said the CIP states the project cost to be \$52,000 and that number is now refined since the CIP was developed and the cost is now \$219,310. (NOTE: There is a typo in the engineer's memo where it reports the project cost at \$140,000.) The minor plan amendment process will take about six months. Mr. Kremer is asking for authorization by the Commission to begin the minor plan amendment process for this project.

Mr. Welch recapped the discussion from the September 16, 2004, when it was explained that the main reason for the cost increase for the Twin Lake project was moving the pond to avoid the railroad right-of-way. The connection between the Twin Lake Pond Expansion project and the next agenda item, the Lakeview Park Pond, is the requirements involved in preparing a plan amendment and reducing administrative costs if the two projects are included in one amendment. The Twin Lake Pond Expansion requires a minor plan amendment and the Lakeview Park Pond requires a major plan amendment because it is an addition to the approved CIP.

Mr. Welch asked if the Commission would like to defer action on the Twin Lake Pond Expansion until the Lakeview Park Pond has been discussed. Ms. Loomis is concerned that if the two projects are considered together, the Twin Lake Pond Expansion may not be done if the Lakeview Park Pond is not done. She would prefer the two projects be acted on separately.

Mr. Welch added the projects are two different projects with no water quality impact on each other and saving administrative costs is the main reason for considering the two projects in one plan amendment. The administrative costs include printing, postage, reviewing and responding to two sets of comments from the agencies, etc. Mr. LeFevere said the administrative costs include primarily a change in the dollar amount and possibly a minor change in the project description.

Mr. Mathisen asked how this amount would affect the total CIP budget. Mr. Kremer said it would affect the levy amount request for 2006. The budget levy request for 2004 was \$880,100. The CIP total 2005 budget levy request was \$375,000. If this project was approved, the 2006 CIP levy request would be \$863,000.

Mr. Yaeger moved and Ms. Thornton seconded the motion to approve the recommendation and direct the Commission staff to begin the minor plan amendment for the Twin Lake Pond Expansion (CIP TW-1). Carried unanimously.

6. **Lakeview Park Pond: Golden Valley – 2007 CIP Request.** The city of Plymouth has been working to identify various measures to reduce phosphorus entering Medicine Lake. Part of the process included Plymouth engineering staff requesting that adjacent communities identify additional improvements that could be done to help Plymouth achieve the reduction of phosphorus for Medicine Lake.

The city of Golden Valley reviewed the watershed tributary to Medicine Lake to the two ponds currently being constructed in Plymouth and identified another ponding area that could possibly be built that would remove additional sediment and phosphorus from the watershed tributary to Medicine Lake. The area identified is in Lakeview Park located in western Golden Valley. This area is fully developed and drains directly to Medicine Lake. Golden Valley did a study of this area and identified a pond that would provide dead storage volume. The feasibility study was done and indicated that about 6,000 pounds of additional suspended sediments and 15 pounds of additional phosphorus could be removed as a result of construction of the Lakeview Park Pond.

One of the complications in constructing the Lakeview Park Pond is relocating utilities from the site, which adds a significant increase to the project cost. The project cost would be \$417,000. Early drafts of the Watershed Management Plan's CIP listed construction of the Boone Avenue Pond (BC-1) during 2007 at a cost of \$215,300. This project was moved to 2004 by the city and is currently under construction. The Current CIP identifies the Boone Avenue pond project for 2005.

Mr. Kremer said if the Commission wants to consider adding the Lakeview Park Pond project to the current CIP and implementing the project in 2007, a major plan amendment will need to be prepared because it is a new capital project. Mr. LeFevere added the process includes directing the staff to prepare and submit a major plan amendment to the regulatory agencies for the review process, which will take about 9 to 10 months to complete. Submitting the major plan amendment does not obligate the Commission to do the project.

Ms. Loomis said that part of the reason the city of Golden Valley is asking the Lakeview Park Pond to be added to the CIP is because the city was obligated to start the Boone Avenue pond project BC-1 due to agreements made with General Mills and other entities to begin the project this year. Because the city started the project in 2004, the project was disqualified for reimbursement or any contribution by the Commission because it began before the second generation plan was approved. The Boone Avenue project includes substantial flood improvements to prevent periodic flooding at the intersection of Boone, General Mills Boulevard, and Highway 55. Because Golden Valley is constructing other projects beneficial to the Bassett Creek watershed without financial contribution by the Commission, the city of Golden Valley is requesting consideration by the Commission to add the Lakeview Park Pond to the approved CIP.

Mr. LeFevere said the request could be added to the CIP in year 2007 and if the project is constructed before 2007, the city can carry the cost until 2007 when reimbursement is made.

Mr. Yaeger would like the Technical Advisory Committee to review and give feedback on the project prior to approving and making additions to the second generation CIP.

Ms. Gwin-Lenth asked if the Lakeview Park Pond was included in the Golden Valley surface water management plan. Mr. Oliver said it was included in city's plan for discussion as a project to be investigated. Numerous locations were identified in the Golden Valley surface water management plan for potential water quality ponds. The city moved this project forward based on discussions with the city of Plymouth. If Golden Valley constructed the project, it would most likely have been done in

year 2014.

Ms. Terrie Christian, AMLAC, pointed out that not only does the Lakeview Park Pond project remove phosphorus, but also total suspended solids (TSS) and the combination of the Boone Avenue Pond and the Lakeview Park Pond will remove 51% of the TSS.

Mr. Welch said the tension is between water quality improvements and the cost of making the improvements. The charge of the Commission is to balance those two issues because financial resources are limited.

Mr. Kremer added that the CIP budget in 2007 is currently \$356,000 and the addition of the Lakeview Park Pond will more than double the 2007 budget. Mr. LeFevere brought up the idea of participation by the Commission of less than 100% of the proposed cost and the city contributing a percentage of the cost.

Mr. Welch asked if other ways or reducing the costs had been investigated (i.e., requesting funding from Hennepin County environmental response fund for the asbestos removal, a rain garden or wetland restoration project instead of constructing the pond, etc.). Mr. Welch would also like to get input from the TAC on the project.

Mr. Oliver said the utility removal and relocation costs are legitimate costs for the project. Golden Valley would be willing to look at other ways to reduce the project costs. The city did investigate a rain garden infiltration and the city's consultant indicated the site was not a good candidate for rain garden infiltration.

Mr. Mathisen said part of the project is to do flood control and it is not clear from the study which part of the project is for water quality and would like to see those components separated.

Mr. Oliver added the Golden Valley comprehensive park plan includes possible acquisition of up to four homes adjacent to the Lakeview Park area for improvement of the park and because several of those homes are being flooded in this area. The Lakeview Park Pond cannot be designed to minimize the flooding. The cost estimate does not include funds for flood reduction or removal of the homes. The costs associated with the Lakeview Park Pond are strictly for water quality improvement.

Mr. Yaeger moved and Ms. Gwin-Lenth seconded the motion to forward the Lakeview Park Pond project to the Technical Advisory Committee for their consideration and feedback before taking action by the Commission. Carried unanimously.

Mr. Kremer said the Lakeview Park Pond could be discussed when the TAC meets to review the two channel maintenance fund requests.

7. **Floodproofing Agreement: Golden Valley.** The city of Golden Valley requested a modification to the floodproofing agreement between the Commission and the city. The city determined that the floodproofing plan of building a berm and a floodwall for the homes at 5222 Minnaqua would not meet their floodplain ordinance. The home would become inaccessible during a major rainfall event if the floodproofing changes were made. The city requested the agreement be modified concerning the method of floodproofing at that home to allow evacuation and removal of the home. The city would purchase the home and remove it and utilize the area for floodplain and wetlands. The Commission engineer prepared a letter stating concurrence with the city's approach and distributed it to the Commission. The city of Golden Valley will spend about \$400,000 and the allowance in the agreement for the structure at 5222 Minnaqua is \$150,000.

Mr. Mathisen did not think that acquisition was a recognized method of floodproofing during the discussions when the floodproofing fund was established. Mr. Kremer agreed that evacuation was not discussed, but there is a provision in the agreement that the city can request a modification to the agreement and evacuation is a recognized and frequently used floodproofing technique.

Ms. Loomis moved and Ms. Thornton seconded the motion to ratify the decision made by the Commission engineer to modify the floodproofing agreement between the city of Golden Valley and the Commission regarding the home located at 5222 Minnaqua. Carried unanimously.

8. **Administrative Options Subcommittee Report.** Ms. Thornton said the Administrative Options Subcommittee did not have a quorum and rescheduled the meeting for Monday, December 13, at 5:00 p.m. at the Golden Valley city hall.
9. **Website Update.** Deferred to the December meeting.
10. **Northwood Lake Pond CIP Project (known as the St. Joseph's Pond-Regional Stormwater Pond).** Ms. Gwin-Lenth updated the Commission with the current construction status of the regional stormwater pond. New Hope awarded the contract to Nord Excavating in October 2004. The development adjacent to the pond, Hillside Terrace, has been graded and utilities are being put in that development. It is hoped that the utility work will be completed by the end of this week or next week. It is anticipated that pond excavation, the rough grading, will begin sometime around mid-December. The rough grading will be done in December 2004 and January 2005 and will remain rough graded until the spring when the restoration will be completed.

## **January Meeting**

The following agenda items are currently scheduled for the Commission's January meeting:

- Direct auditor to prepare audit report
- Terms ending for Plymouth, Robbinsdale, and St. Louis Park (January 31, 2005)

## **Adjournment**

It was moved by Ms. Langsdorf and seconded by Ms. Thornton to adjourn the meeting. Vice Chair Welch adjourned the meeting at 2:05 p.m.

\_\_\_\_\_  
Michael Welch, Vice Chair

\_\_\_\_\_  
Pat Schutrop, Recorder

\_\_\_\_\_  
William Yaeger, Secretary

Date: \_\_\_\_\_