



Bassett Creek Water Management Commission

A g e n d a

**Thursday, October 16, 2003
3:30 p.m.**

**Golden Valley City Hall
7800 Golden Valley Road**

Call to Order

Presentation of September Minutes

Presentation of Financial Statements

Presentation of Invoices for Payment Approval

Communications

Chairman

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

Counsel

Corps of Engineers

Commissioners

Engineer

New Business

- **3820 Bassett Creek Drive: Golden Valley**

Old Business

- **Medicine Lake Task Force Presentation**
- **Northwest Boulevard Erosion Site**
- **Revisit Website Improvements**
- **City of Minneapolis Water Quality Task Force Update**
- **Second Generation Plan October 7th Special Meeting Follow-up**
- **Proposed Agreement with Plymouth for Medicine Lake Projects**
- **Guidelines for Allocation of Funds from Streambank Maintenance Fund**
- **Metro Clean Water Campaign Update**

November Meeting

-

Adjournment

Bassett Creek Water Management Commission

Minutes of the Meeting of September 18, 2003

Call to Order

The Bassett Creek Water Management Commission was called to order at 12:00 Noon, Thursday, September 18, 2003, at the City of Golden Valley City Hall by Chair O'Toole.

Roll Call

<i>Crystal</i>	Commissioner Pauline Langsdorf	<i>Counsel:</i> Charlie LeFevere
<i>Golden Valley</i>	Commissioner, David Hanson, Treasurer	<i>Engineer:</i> Len Kremer
<i>Medicine Lake</i>	Commissioner John O'Toole, Chair	<i>Recorder:</i> Pat Schutrop
<i>Minneapolis</i>	Commissioner Michael Welch, Vice Chair	
<i>Minnetonka</i>	Not represented, Secretary	
<i>New Hope</i>	Alternate Commissioner Mary Gwin-Lenth	
<i>Plymouth</i>	Commissioner Elizabeth Thornton	
<i>Robbinsdale</i>	Commissioner Karla Peterson	
<i>St. Louis Park</i>	Commissioner Paul (PJ) Andersen	

Also present:

- Jan LeSuer, Alternate Commissioner, city of Golden Valley
- Karla Anderson, Alternate Commissioner, city of Plymouth
- Ed McRoberts, Alternate Commissioner, city of Minneapolis
- Tom Mathisen, BCWMC Technical Advisory Committee, city of Crystal
- Ron Quanbeck, BCWMC Technical Advisory Committee, city of Plymouth
- William Deblon, BCWMC Technical Advisory Committee, city of Robbinsdale
- Kelly MacIntyre, BCMWC Technical Advisory Committee, city of Minneapolis
- Alison Fong, BCWMC Technical Advisory Committee, city of Minneapolis
- Jeannine Clancy, BCWMC Technical Advisory Committee, city of Golden Valley
- Jim Vaughan, BCWMC Technical Advisory Committee, city of St. Louis Park
- Carlton Moore, BCWMC Technical Advisory Committee, city of St. Louis Park
- Lee Gustafson, Steering Committee Chair, city of Minnetonka
- Ginny Black, City Council Member, city of Plymouth
- Mayor Linda Loomis, city of Golden Valley
- Nancy Azzam, Golden Valley League of Women Voters
- Jack Frost, Metropolitan Council
- Judy Sventek, Metropolitan Council
- Phil Belfiori, Minnesota Board of Water & Soil Resources
- Terrie Christian, Association of Medicine Lake Area Citizens

Approval and/or Correction of Minutes

The minutes of the August 21, 2003 meeting were presented. Mr. LeSuer presented the following correction:

Page 6, paragraph #2 should read as follows: Mr. LeSuer asked that it be noted that the first discussion regarding a phase 2 project was on whether local government is more scrupulous paying attention to costs versus the Bassett Creek Water Management Commission. ~~With an organization such as the Commission, there is a collective body of wisdom and points of view to help fine tune decisions.~~

Mr. Andersen moved and Ms. Thornton seconded the motion to approve the minutes with the above correction noted. Carried with one abstention by Alternate Commission Gwin-Lenth.

Financial Statements

Mr. Hanson presented the Treasurers Report as of September 18, 2003. The current balances are as follows:

<u>Checking Account Balance</u>	<u>\$265,016.19</u>
<i>TOTAL GENERAL FUND BALANCE</i>	<i>\$265,016.19</i>
Construction Account Balance	\$1,056,200.74
Commercial Paper (due 12/26/03)	99,000.00
Commercial Paper (due 12/26/03)	99,000.00
Commercial Paper (due 12/26/03)	99,000.00
Commercial Paper (due 01/26/04)	99,000.00
Commercial Paper (due 03/17/04)	99,000.00
Commercial Paper (due 03/17/04)	99,000.00
Commercial Paper (due 03/17/04)	99,000.00
<u>Commercial Paper (due 03/17/04)</u>	<u>99,000.00</u>
<i>TOTAL CONSTRUCTION ACCOUNT BALANCE</i>	<i>\$1,848,200.74</i>

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 August 9, 2003 through September 5, 2003, in the amount of \$20,380.11.

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

2. An invoice was received from the League of Minnesota Cities Insurance Trust for the period of June 27, 2003 through June 27, 2004, in the amount of \$3,840. Mr. Hanson noted the amount is \$3 less than the previous three years.

The Commission first purchased this type of liability coverage about 10 to 15 years ago. Most cities are insured by the LMCIT; however, the coverage purchased by cities does not include activities of most joint powers organizations. Cities can buy a rider for each joint powers organization to cover the cities interests in the JPA, but that coverage does not cover the liability of the WMO itself.

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

Public Hearing

Chair O'Toole opened the Public Hearing on the Medicine Lake water quality projects.

Purpose

Mr. LeFevere reported that this public hearing is held to meet two legal requirements in order to move ahead with the Medicine Lake water quality improvements. The first requirement complies with the BCWMC joint powers agreement (JPA) where a hearing is required on all capital projects. The hearing is open to the public and the JPA requires that notice be mailed to the member cities. The Commission is required to conduct a public hearing to order a capital project and direct a city to construct the improvement.

The second requirement is stated in Minnesota Statute sec. 103B.251 which is the statute dealing with projects funded by a county tax levy within a watershed area. This notice is required to be published in local newspapers.

Following the hearing, a proposed resolution is prepared for the Commission to take action on that will order the project and use the county tax levy making the findings required by the JPA and state law.

Mr. O'Toole added that a public hearing is primarily to receive public testimony and ask questions.

Public Testimony

The following people offered comments and testimony regarding the Medicine Lake water quality improvement ponds:

Ms. Ginny Black, Plymouth city council member– Ms. Black wanted to first clarify that the city of Plymouth was not part of and was not aware of the letters that were sent to the Hennepin County Board of Commissioners stating objection to or agreement with the county tax levy. Secondly, the city of Plymouth did attend the county hearing (which was postponed because of the letters received from the various member cities). Ms. Black testified in favor of the project before the county board despite the funding mechanism. When asked about the funding mechanism by the county board, Ms. Black said they would try to work those issues out within the Commission if at all possible.

Ms. Nancy Azzam – Ms. Azzam said that, on behalf of the League of Women Voters, the League would prefer that the public hearings be held during a public time and not during the middle of a workday.

Mr. Jan LeSuer, Golden Valley city council member and alternate commissioner – Mr. LeSuer stated that as an elected official of 8 years, he knows the public is acutely interested in any thing to do with taxation and believes the lack of public in attendance at the hearing today is indicative of the lack of notification and broadcast of this issue. Mr. LeSuer suspects that taxpayers will be surprised when they hear of it and he does not feel the widest and strongest effort was made to solicit public input.

Ms. Terrie Christian – On behalf of the Association of Medicine Lake Area Citizens, Ms. Christian notes AMLAC's support of this project and requests that the Commission authorize the project.

With no additional public testimony received, the public hearing closed at 12:20 p.m.

Communications

Chairman:

1. Chair O'Toole pointed out a letter that he wrote to the Hennepin County Board of Commissioners concerning the county tax levy for the funding of Medicine Lake water quality projects. The letter was distributed to the Commission during the meeting.

2. A number of communications were received from Ms. Terrie Christian that were distributed to the commissioners. Chair O'Toole said the Commission would send a written response to Ms. Christian.
3. Letters were mailed out under Chair O'Toole's signature informing the Corps of Engineers, the Department of Transportation, and various legislators and senators that the flood control structures constructed as part of the Flood Control Project performed well during the large rainfall event that occurred on June 24-25, 2003.

Citizen Input on Non-Agenda Items:

1. Ms. Christian read a prepared statement to the Commission concerning citizen participation, which is an appendix to these minutes:
2. Ms. Black initiated a discussion at last month's meeting for the Commission to consider changing its meeting time because it is difficult and inconvenient to attend a meeting during the noon hour. After the issue was discussed, the Commission elected to continue meeting at the current time of 12:00 noon and Ms. Black believes that is a poor decision and that the discussion was too limited. Ms. Black pointed out that the only possible day to hold the meetings mentioned in the meeting minutes was the current day, the third Thursday of the month, and the only time options indicated in the minutes were from 12:00 Noon and afternoon meeting times. The minutes do not indicate discussion for possible morning meetings (8:30 to 10:00) or a different day. In order for her to have access to the decision making process and to know what is going on in the Commission, Ms. Black would like the Commission to reconsider its previous status quo decision.

Ms. Thornton would like the topic brought up again for discussion. Chair O'Toole asked that it be added to the Old Business agenda items for discussion later in the meeting.

Counsel:

No communications.

Corps of Engineers:

1. Chair O'Toole recommended and the Commission agreed to remove this agenda item from future agendas because no communication is expected since the Flood Control Project is complete.

Commissioners:

1. Mr. McRoberts announced that the Friends of Bassett Creek would be having a buckthorn removal project with the Minneapolis Park Board on Saturday, September 20th, at 9:00 a.m. at East Chestnut and Morgan Avenue North. An additional buckthorn removal project date is also scheduled for Saturday, September 27th.
2. Mr. Welch updated the Commission on the Minnesota Environmental Initiative's Impaired Waters "Partners" work group. One of the key issues is a funding development and implementation of the Minnesota Impaired Waters Program. It is the major topic the "Partners" group is working on.

Engineer:

1. Mr. Kremer received a call from Hennepin County staff requesting BCWMC budget and assessment information for 2004. The Hennepin County Board of Commissioners requested its staff put together a

report on the activities of the various WMOs. The information was submitted and Mr. Kremer requested a copy of the final report.

2. Mr. Kremer received a phone call from an individual doing a report for the National Association of Floodplain Managers. Bassett Creek Water Management Commission is one of twenty organizations in the United States nominated as a good example of organizations that use a philosophy of water resources management that they call “no-adverse impact” where developers, for example, are required to mitigate its water quantity and water quality impact for new developments. Ten of the twenty organizations will be selected and the efforts of those organizations will be publicized.

New Business

1. **Plat Review Procedure.** Barr received a copy of a park modification plan from St. Louis Park that falls into a gray area of whether or not it would require Commission review. For the benefit of the commissioners, a brief summary of the plat review procedure was included in Barr’s memo to the Commission. Some of the plats and plans are reviewed administratively by the engineering staff and others are presented to the Commission for action. Some time ago, a committee was set up that developed the “Requirements for Improvements and Development Proposals” that describes which plans have to do water quality improvements, which plans have to be reviewed by the Commission, and what the standards are, etc. The plans submitted by communities for formal Commission review include: work in the floodplain, streambank protection plans, street and utility crossings, road construction/reconstruction plans involving greater than 5 acres of land, potentially controversial developments, and other projects that Barr is unsure how to handle.

Barr will review plans administratively that include construction erosion control plans involving 200 cubic yards of cut or fill or more than 10,000 square feet of grading; and grading, drainage and erosion control plans that are designed with adequate water quality ponding to meet the BCWMC’s Water Quality Management Policy.

The reason that the Shelard Park Renovation project (see the next New Business item) is somewhat of a gray area is because the actual site is greater than 5 acres and could be argued that it is a redevelopment and subject to the requirements of the water quality policy.

Mr. Welch appreciates this type of discussion about procedures and believes it is a good review of what the Commission accomplishes as well as offering a good sense to the commissioners of what is reviewed by the engineer and what should be considered by the Commission. Mr. Welch added that what is reviewed and how it is reviewed is less important to him than does it gets done by the cities. How can the Commission be assured that what is reviewed at the meetings is paying off in water quality in the long term. Mr. Kremer said the Commission has an inspection program where project sites are visited monthly. The inspection reports go to the cities’ staff and city staff informs the developers of what is not being done or corrections necessary.

Mr. Welch asked if those findings would be useful to the commissioners. After discussion the Commission agreed that monthly inspection reports would be worthwhile and the Commission engineer will include the reports in the monthly meeting packets. Ms. Gwin-Lenth said it would be useful to have a complete list of projects inspected along with the list of projects in violation. Mr. McRoberts encouraged commissioners and others that may see something like silt fencing that has been overrun to take personal action and point it out to the person in charge of the project.

Mr. O'Toole asked that the reports also be put on the website making it accessible to interested citizens. Mr. Hanson also suggested Mr. Kremer bring to the attention of the Commission any projects that are flagrantly violating the Commission's water quality policies.

Chair O'Toole asked if the commissioners had specific changes to the current procedure. Mr. Welch suggested that the Commission review all road construction and reconstruction plans down to 1 acre. Mr. Kremer added that a city might submit multiple street maintenance projects as one project and that most road construction and road reconstruction projects are generally brought before the Commission. Ms. Black said an alternative way to handle these types of reviews could be similar to how the city of Plymouth handles them by having a consent agenda for consideration prior to their normal city council agenda where the council reviews and may approve the consent agenda by one motion.

Chair O'Toole asked that review of road construction and reconstruction projects down to 1 acre continue to be brought before the Commission and reconsider these types of reviews again in September 2004.

2. **Shelard Park Renovation: St. Louis Park.** The Shelard Park is greater than 5 acres, which typically would require Commission review because it is alteration of an existing area greater than 5 acres in size. The park was constructed in an area that has poor soils. Over the years, there has been significant consolidation around the tennis courts area and the St. Louis Park Park Board would like to fill the area to its previous condition. Because of the size of the area, it could potentially trigger one of the Commission's requirements for water quality improvements. However, the Commission engineer sees this project as a maintenance project where the city is restoring an area that has settled by removing the current tennis courts so that there will be less impervious surface. The city will maintain a depression in the area that will be below the outlet elevation allowing for temporary storage for infiltration and provide some water quality improvements, but is not strictly in accordance with the Commission's water quality policy.

Mr. Kremer recommends this renovation be viewed as a maintenance project and not subject to the Commission's water quality policies and recommends approval contingent on modifications indicated in the engineer's memo to the Commission. Measures are being taken that will reduce the impact on water quality. The engineer's memo also recommends submittals such as this project that are maintenance be handled administratively. As stated above, the Commission will continue to review road construction and reconstruction projects down to 1 acre and reconsider this review policy next year.

Mr. Andersen feels the Commission can view cities submissions of this type as maintenance projects largely because cities' staff is familiar with the Commission's policies.

Ms. Thornton asked if other cities have submitted similar requests. Mr. Kremer said occasionally a project will be submitted that does not strictly apply to the requirements of the Commission's policy and those projects were previously brought before the Commission for discussion.

Mr. McRoberts asked if Commission staff can manage adding the review of those questionable projects and if any of the costs are recovered from the developers. Mr. Kremer said historically the number of questionable projects has become less because more of the watershed area is developed. The Commission has discussed the possibility of passing along the review costs to developers, but the Commission has not taken action on that. Mr. Hanson added that the review costs are not a major part of the budget.

Mr. Hanson moved and Mr. Andersen seconded the motion to approve the project contingent on the conditions listed in the engineer's memorandum to the Commission. Carried unanimously.

Old Business

1. **Medicine Lake Water Quality Ponds.** The public hearing was conducted at the start of today's meeting and the next step is for the Commission to consider adopting the resolution ordering the Medicine Lake water quality ponds.

Chair O'Toole noted that Mayor Peter Enck, city of New Hope, also submitted a response to the Hennepin County Board of Commissioners via e-mail and that communication was distributed at today's meeting.

Mr. LeFevere said adoption of the resolution ordering the Medicine Lake water quality ponds requires a two-thirds vote (six votes) by the Commission to pass. Minnetonka was not represented today. If the resolution is adopted, a certified copy of the resolution will be sent to Hennepin County by the end of this month so that the County can take necessary steps to levy the tax. Commission staff will also continue working with the city of Plymouth to draw up an agreement with the city of Plymouth, as the implementing agent, and the Commission to present to the Commission at the October meeting.

Mr. Kremer and Mr. Quanbeck met with the Minnesota Department of Transportation to go over the project in detail and discussed Mn/DOT's previous participation with Plymouth in removing the delta that has formed in Medicine Lake. Mn/DOT indicated they would discuss the possibility of participating and suggested the easiest way for them to help would be to remove the existing sediment that is there versus contributing funds to the project. Mn/DOT will give an answer sometime next week. Mr. Kremer and Mr. Quanbeck encouraged them if they could provide staff time to remove the existing sediment that would be helpful to this project. According to the cost estimate included in the meeting packet, the cost would be about \$100,000. The sediment removal could be up to 10,000 yards.

Chair O'Toole asked if Plymouth could take advantage of Mn/DOT's resources and not complicate the project time schedule. Mr. Quanbeck said any help given by Mn/DOT would be helpful and workable with the project.

Ms. Christian said Mn/DOT's participation in the past was not effective in removing sediment because the machine that was used only reached out into the lake about 50 feet. The sedimentation fan discussed is 200 feet out in the lake or more. Ms. Christian suggested the Commission ask Mn/DOT to remove all of the sedimentation fan and not just 50 feet from shore. Since Plymouth will be the implementing agent, it will be up to Plymouth to manage the costs associated with the project. Mr. Quanbeck said the city would have to look at the tradeoffs of the project along with the amount of resources that may come from Mn/DOT (e.g., removing more sediment now or enlarging the ponds).

Mr. Quanbeck added that the Plymouth city council would approve the project plans and specifications and the agreement with the Commission. Plymouth will also have some type of open house or some avenue available for citizen input. Ms. Black said that the Plymouth Environmental Quality Committee requested the Plymouth city council to reactivate the Medicine Lake committee to monitor areas that might slip through the cracks in the process.

Mr. LeFevere said if the resolution fails, the matter could be brought up again at a later meeting for approval. If the resolution passes at a later meeting, the city could move ahead with the project if the city was willing to carry the project costs for another year until the next tax year when county funding would become available for reimbursement. The county has approved the project and the Commission has gone through the necessary steps to this point.

Mr. McRoberts commented that maybe the Commission could consider having input into the policies concerning how much sand and salt the cities use on the roads to help reduce sedimentation problems in the future.

Ms. Thornton moved and Ms. Mary Gwin-Lenth seconded the motion to adopt the resolution ordering Medicine Lake improvements, designating the city of Plymouth as member responsible for construction, and making findings and certifying costs to Hennepin County pursuant to Minnesota Statutes, Section 103B.251. Upon call of the roll, the vote was unanimously carried. It is noted that Minnetonka representative was not present.

2. **Meeting Time Discussion.** A request was made by Ms. Black to reconsider the meeting time of the Commission. The meeting time was discussed at the August meeting and the consensus of the Commission was to continue meeting at 12:00 noon on the third Thursday of the month. Chair O'Toole reopened the discussion by the Commission to consider a different time and date, keeping in mind what time would be useful for the public to attend as well as effective functioning of the Commission.

Mr. McRoberts said the meeting time will always conflict with something and he is in favor of continuing to meet during the lunch hour and recommends the Commission make a conscious effort to cover public items during the first hour. Ms. Thornton suggested trying a late afternoon meeting time (e.g., 4:00 p.m. to 6:00 p.m.) to see how that time works. She is not in favor of evening meetings because of other commitments.

Mr. Andersen pointed out that Mondays and Fridays are probably not options due to holidays, long weekends, etc. leaving Tuesdays, Wednesdays, and Thursdays. Ms. Christian added while the Second Generation planning process was conducted, the advisory group meetings were held from 4:00 p.m. to 6:00 p.m. and citizens participated at that time. Ms. Black said 4:00 p.m. or 8:30 a.m. or 9:00 a.m. would be best for her so that vacation time does not have to be used to attend the Commission meeting. Mr. Mathisen suggested starting at 3:30 p.m. to help avoid some of the rush hour.

Mr. Langsdorf thinks 3:30 p.m. time is okay for her, but one of the reasons the Commission decided to stay with the present time of 12:00 noon was because all commissioners were able to attend during that time. Mr. Hanson suggests keeping the third Thursday as the meeting day for now.

After additional discussion, the Commission decided to hold its October 16th meeting at 3:30 p.m. and also do a wide communication (i.e., mailing and e-mail lists, website calendar, etc.) informing people of the meeting time change for the October meeting.

Mr. Welch asked what would determine the success of moving the meeting to 3:30 and achieving the goal of greater public participation. Is there a goal other than greater public participation?

Ms. Thornton said in the long-term, a different meeting time might allow someone contemplating candidacy for commissioner or alternate commissioner to participate. Mr. Andersen said the 3:30 p.m. meeting time proposed would keep the commissioner from Minneapolis from attending the meetings.

Chair O'Toole would like to see the time changed only for the October 16th meeting. Mr. LeFevere said that according to the Joint Powers Agreement, if the Commission decides to hold its regular meeting at a time different than the scheduled meeting time, it is considered a special meeting and notice has to be given to the member cities and recommends a motion to make the change.

Mr. Hanson moved and Ms. Thornton seconded the motion to change the meeting time of the regularly scheduled October 16th meeting to begin at 3:30 p.m. at the city of Golden Valley. Motion carried with one no vote from the city of Minneapolis.

- 3. Second Generation Plan Informal Review and Response Process.** The Commission is at a point where it ready to review the draft plan (dated July 2003) prior to submitting the plan for the formal review process. Chair O'Toole asked the Commission about possible ways of reviewing the plan – hold a special meeting or go through it during the regular Commission meeting. Mr. Mathisen suggested that holding a special meeting specifically to review the plan might be more effective and efficient. Ms. Thornton agrees that reviewing the plan needs specific attention and would like to see it reviewed at a work session or special meeting at a time when people can attend.

Mr. Hanson asked when the Commission would respond to the letters that submitted comments on the Commission review draft. Mr. Kremer said six responses have been received and no written responses have been prepared at this time. Mr. Hanson asked if it would be beneficial to have responses prepared addressing those comments before the special meeting. Chair O'Toole addressed Mr. Hanson's concern and said the Commission can either acknowledge the letters that have been received and lay out the Commission's intent to respond to the comments or inform them that responses to comments will be considered at a special meeting and invite them to attend the meeting.

Mr. Andersen asked if it would be appropriate to send a response letter along with the revised draft addressing all the comments in one letter. Although a good suggestion, Chair O'Toole is concerned that individuals may not necessarily be interested in all the comments made, but specifically their comments.

The task before the Commission at this time is to decide if the plan sufficiently meets the Commission's satisfaction before the plan is submitted for the formal review process. The Commission would decide as an organization if the comments submitted concerning the plan are changes that need to be made prior to the formal review process. There will be many opportunities for people to comment and make suggestions during the entire review process.

The consensus of the Commission was to wait and review the draft plan as a group prior to submitting the plan for the formal review.

Ms. Langsdorf suggested that the Commission acknowledge that comments are received and the comments are being considered. Mr. Hanson submitted comments regarding the plan and would like to hear the response to his comments prior to sending the plan on to the next level of review.

Ms. Gwin-Lenth added that the city of New Hope staff and some city council had an initial discussion about the review draft and assumed there would be an opportunity for a working dialog among the commissioners and participating cities in order to bring forward the changes suggested. New Hope has some suggestions for change in the draft plan; however, those changes have not yet been specifically articulated, but felt those issues would come out of a working dialog with the members of the Commission.

Mr. Phil Belfiori, BWSR, said that when there is a lull in the process or some existing controversy prior to the 60-day review, some type of work session is recommended to iron out foundational issues prior to the first formal review. During the 60-day review, there is only one opportunity to offer comments where the plan will go back to the organization for change. The agencies are not required to go back to the organization during the second formal review, which is the 45-day review process.

Mr. LeFevere said the number of comments received is unworkable and some type of organization is necessary in order for the Commission to review them effectively. One approach would be to direct Barr to divide the comments up into categories (i.e., this suggestion is a good one and if the plan is in error, change the plan; a suggestion was made by the Technical Advisory Group, etc.) and isolate

questions that represent suggested new directions in policy that the Commission will need to make a decision about.

Ms. Judy Sventek, Metropolitan Council, added that if the Commission decides to go through the process that Mr. Belfiori discussed, the Commission might want to send the review draft to the member cities prior to the 60-day review process.

Ms. Black asked the Commission to take time to consider comments submitted. She does not feel addressing the comments by the Commission staff would be adequate because many of the comments are policy decisions that need Commission attention. Because of time constraints, Ms. Black only reviewed the portions affecting the city of Plymouth. Ms. Black noted that the portion addressing the Medicine Lake plan only included an acknowledgement of the city of Plymouth's plan developed by a subcommittee set up by Plymouth that stemmed from Barr's plan and also noted contradictions in the CIP adopted by the Commission and what is actually in the plan. Ms. Black would like to see the Commission hold a working session.

Mr. Andersen asked how long it would take staff to categorize the comments in order to keep the process moving ahead in a timely manner. Mr. Kremer said that the comments could be categorized and suggested responses to questions ready in two weeks. Mr. Hanson asked if the comments could be e-mailed to the commissioners as soon as they are ready.

Mr. Andersen suggested the Steering Committee also be invited to the special meeting. Ms. Christian asked about inviting John Barten, Three Rivers Park District.

Mr. Hanson moved and Ms. Thornton seconded the motion for the Commission to conduct a special meeting on Tuesday, October 7, 2003, at 3:30 p.m. at the city of Golden Valley to review the Commission's review draft of the Second Generation Plan (dated July 2003).

Miscellaneous

1. **Technical Advisory Committee Organization** – Chair O'Toole briefly discussed organizing the TAC by naming a chair to help coordinate specific tasks the Commission may assign to the TAC. The Commission formed the TAC when the Legislature mandated that city staff is no longer eligible to serve as commissioners. It was felt at that time that forming the TAC would reserve a place for the cities to continue giving input, although not allowed to vote, and continue to participate and report back to the cities councils. The bylaws also provide that the TAC can be given such duties and responsibilities as the Commission deems fit (i.e., long standing reviews, ad hoc assignments, etc.). Mr. Welch added that the Minneapolis TAC representatives have been very informative and their perspective valuable to him as a commissioner.

Mayor Loomis was somewhat disturbed by the discussion because the TAC members are city staff and she is not sure it is proper for them to take direction from the Commission. Mayor Loomis believes this topic needs more discussion and thought than the Commission making the decision to assign tasks to this group. Ms. Black agrees with Mayor Loomis; however, one of the purposes of the TAC was to provide a link between the city councils and the Commission, especially on budget matters. A good example is drafting the flood control project structures maintenance policy because the cities are responsible for that maintenance and financially responsible for the maintenance. Mayor Loomis agrees it would be appropriate to assign the flood control project structures maintenance policy to the TAC, but can see it getting out of hand where multiple tasks could be assigned to the TAC without oversight by the cities.

October Meeting

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

- ? **Revisit Website Improvements – Budget remaining is approximately \$4,000 to \$5,000. Mr. Kremer will present some improvement ideas at the October meeting for consideration by the Commission.**
- ? **Second Generation Plan October 7th Special Meeting Follow-up**
- ? **Begin Drafting Flood Control Project Structures Maintenance Policy – deferred from September meeting.**
- ? **Northwest Boulevard Erosion Site - Ms. Thornton asked that the Northwest Boulevard erosion site be added to the October agenda for discussion. She pointed out that this was one of the sites driven by during the watershed tour. The tour write-up for this item said, "Erosion along the channel has deposited sediment in Medicine Lake. The 2003 budget includes \$15,000 for repair of erosion and removal of sediment that is causing problems within the watershed." Chair O'Toole asked Mr. Kremer to prepare some history about the site and present it at the October meeting. Ms. Black also recommended inviting Mr. John Barten, Hennepin Parks, to attend the meeting and update the Commission on information that would be informative to the Commission. Mr. Kremer will talk with Mr. Barten and invite him to give a 15-minute presentation.**

Adjournment

It was moved by Ms. Peterson and seconded by Mr. Hanson to adjourn the meeting. Chair O'Toole adjourned the meeting at 2:20 p.m.

John O'Toole, Chair

Pat Schutrop, Recorder

Bill Yaeger, Secretary

Date: _____

241994