

**Bassett Creek Watershed Management Commission
Minutes of the Meeting of January 19, 2012**

1. CALL TO ORDER

The Bassett Creek Watershed Management Commission (BCWMC) was called to order at 11:34 a.m., on Thursday, January 19, 2012, at Golden Valley City Hall by Chair Loomis. Ms. Herbert called roll.

ROLL CALL		Counsel	Charlie LeFevere
Crystal	Commissioner Pauline Langsdorf	Engineer	Karen Chandler
Golden Valley	Commissioner Linda Loomis, Chair	Recorder	Amy Herbert
Medicine Lake	Commissioner Ted Hoshal		
Minneapolis	Alternate Commissioner Lisa Goddard		
Minnetonka	Commissioner Jacob Millner		
New Hope	Commissioner John Elder		
Plymouth	Alternate Commissioner Judy Johnson		
Robbinsdale	<i>Not represented</i>		
St. Louis Park	Commissioner Jim de Lambert, Secretary		

Note: Minneapolis Commissioner Michael Welch arrived after roll call

Also present:

- Derek Asche, BCWMC Technical Advisory Committee, City of Plymouth
- Pat Byrne, BCWMC Technical Advisory Committee, City of Minneapolis
- Jeannine Clancy, BCWMC Technical Advisory Committee, Golden Valley
- Christopher Gise, Golden Valley Resident
- Jere Gwin-Lenth, Friends of Northwood Lake
- Mary Gwin-Lenth, Friends of Northwood Lake
- Dave Hanson, Alternate Commissioner, City of Golden Valley
- Chris Long, BCWMC Technical Advisory Committee, City of New Hope
- Tom Mathisen, BCWMC Technical Advisory Committee, City of Crystal
- Richard McCoy, BCWMC Technical Advisory Committee, City of Robbinsdale
- Jeff Oliver, BCWMC Technical Advisory Committee, City of Golden Valley
- Brad Schleeter, BCWMC Technical Advisory Committee, City of New Hope
- Liz Stout, BCWMC Technical Advisory Committee, City of Minnetonka
- Liz Thornton, BCWMC Education Committee; Plymouth Resident

2. APPROVAL OF AGENDA AND CONSENT AGENDA

Commissioner Langsdorf moved to approve the Agenda and the Consent Agenda. Commissioner Hoshal seconded the motion. Ms. Chandler commented that an agenda item could be added in order for the Commission to discuss the request by Hennepin County that the Commission send a technical representative to an upcoming Southwest Light Rail Transit meeting. Chair Loomis requested that the item be added to the agenda. Commissioners Langsdorf and Hoshal approved the friendly amendment. The motion carried unanimously with eight votes in favor [City of Robbinsdale absent from vote].

3. CITIZEN INPUT ON NON-AGENDA ITEMS

No citizen input on non-agenda items

4. ADMINISTRATION

4A. Presentation of November 16, 2011, Meeting Minutes. The meeting minutes were approved as part of the Consent Agenda.

4B. Presentation of Financial Statements. The BCWMC's January 2012 financial report was approved as part of the Consent Agenda.

The general and construction account balances reported in the January 2012 Financial Report are as follows:

Checking Account Balance	\$460,633.05
TOTAL GENERAL FUND BALANCE	\$460,633.05
TOTAL CONSTRUCTION CASH & INVESTMENTS	\$2,457,641.12
Revenue	\$12,396.94
Current Expenses	(\$5,483.15)
TOTAL ON-HAND CONSTRUCTION CASH & INVESTMENTS	\$2,464,554.91
CIP Projects Levied – Budget Remaining	(\$2,294,090.58)
Closed Projects Remaining Balance	\$170,464.33
Anticipated Closed Project Balance	\$183,555.49

4C. Presentation of Invoices for Payment Approval.

- i. Kennedy & Graven – Legal Services through November 30, 2011 – invoice for the amount of \$1,251.05.

- ii. **Barr Engineering Company – Engineering Services through December 30, 2011 – invoice for the amount of \$23,134.22.**
- iii. **Amy Herbert – December Secretarial Services – invoice for the amount of \$1,377.48.**
- iv. **D’amico - ACE Catering – January BCWMC meeting catering – invoice for the amount of \$300.42.**
- v. **D’amico – ACE Catering – Cake for January BCWMC meeting – invoice for the amount of \$37.55.**
- vi. **Metropolitan Council Environmental Services – 2011 CAMP Participation – invoice for the amount of \$4,550.**
- vii. **Hennepin County Environmental Services – 2011 River Watch Participation – invoice for the amount of \$2,000.**
- viii. **Minneapolis Park and Recreation Board – BCWMC Participation in WOMP Costs – invoice for the amount of \$4,249.77.**
- ix. **Rice Creek Watershed District – 2011 Blue Thumb Membership – invoice for the amount of \$1,500.**
- x. **CNA Surety - Annual Bond/ Policy – invoice for the amount of \$100.**
- xi. **Shingle Creek Watershed – 2011 Metro Blooms Rain Garden Workshops – invoice for the amount of \$2,000.**

Commissioner Langsdorf moved to approve payment of all of the invoices. Commissioner Elder seconded the motion. By call of roll the motion carried unanimously with eight votes in favor [City of Robbinsdale absent from vote].

4D. Determine Location to Store the BCWMC Education Display. Commissioner Elder stated that the City of New Hope is offering to store the education display and can work out the details with the Education Committee.

4E. Review Engagement Letter from MMKR for Audit of Fiscal Year 2011. Acting Commissioner Goddard moved to contract with MMKR for the audit for the BCWMC’s fiscal year 2011. Commissioner Elder seconded the motion. The motion carried unanimously with eight votes in favor [City of Robbinsdale absent from vote].

4F. Update on 2010, 2011, and 2012 Grants. Ms. Chandler reported that the Commission has applied for an extension from the Minnesota Board of Water and Soil Resources (BWSR) for the \$360,000 grant that the Commission was awarded for the 2010 Plymouth Creek and Bassett Creek restoration projects. She said the extension will provide time for the Commission and BWSR to sort through the details about the grant match and other information required by BWSR for its grant reporting purposes.

Ms. Chandler said that the Commission needs to deliver by February 1 the annual report on the 2011 grant for the as-of-yet unconstructed Wirth Lake Outlet Structure. She said the Commission Engineer is working to meet that deadline.

Ms. Chandler said the grant that the Commission has been awarded for its 2012 Main Stem restoration project will have a different process of fund disbursements compared to the earlier grants. She said that the Commission’s work plan on this grant needs to be finalized by the end of March. She commented that BWSR recommended that a draft be forwarded to its staff by mid-February. Ms. Chandler said that the agreements need to be signed by the end of April.

4G. Resolution 12-01 Approving the Transfer of 2011 Funds from the BCWMC Administrative Account to the Long-Term Maintenance and Channel Erosion Accounts. Commissioner Elder moved to approve Resolution 12-01. Commissioner de Lambert seconded the motion. The motion carried unanimously with eight votes in favor [City of Robbinsdale absent from vote].

4H. Resolution 12-02 Designating Depositories for BCWMC Funds. Commissioner de Lambert moved to approve Resolution 12-02 designating RBC Dain Rauscher, Wells Fargo, and 4M Fund as the BCWMC's depositories for funds. Commissioner Hoshal seconded the motion. The motion carried unanimously with eight votes in favor [City of Robbinsdale absent from vote].

4I. Discuss Reimbursing the BCWMC a Percentage of the Annual Tax Levy for Administrative Expenses Charged to CIP Projects and to Transfer Funds into the Administrative Account. Commissioner Goddard moved to direct staff to prepare a resolution for review at the February meeting that would direct the Commission to transfer 2.5% of its 2011 tax levy request to Hennepin County from the BCWMC CIP account to its administrative account. Commissioner Elder seconded the motion. The motion carried unanimously with eight votes in favor [City of Robbinsdale absent from vote].

4J. Approve Adding to the February BCWMC Agenda a Review of the 2012 Engineering Budget. Chair Loomis said that she had asked the Recording Administrator to prepare a draft February agenda for today's meeting, which has been handed out. She noted that a review of the BCWMC's 2012 budget is on this draft agenda. She asked if the Commission would like to add or remove any items to its draft February meeting agenda.

Commissioner Hoshal asked if the Commission would be interested in having a presentation by Eric Evenson, the Administrator for the Minnehaha Creek Watershed District, on aquatic invasive species (AIS). He noted that there is a meeting on February 8 at 7:00 p.m. at Plymouth City Hall coordinated by the Association of Medicine Lake Area Citizens (AMLAC) to discuss AIS and funding AIS work and Eric Evenson will be presenting at the meeting. Commissioner Hoshal said that if the commissioners are planning to attend the February 8th AMLAC meeting then perhaps the Commission wouldn't need Eric Evenson to also conduct the presentation at a BCWMC meeting. Acting Commissioner Johnson asked if it would be possible for the City of Plymouth to tape the presentation to make it available for the Commission and asked Mr. Asche to check into it. Chair Loomis said that if the taping isn't possible then the Commission could ask Mr. Evenson to come do the AIS presentation at the March Commission meeting. The Commission indicated consent to the suggestions by Acting Commissioner Johnson and Chair Loomis and to the draft February meeting agenda.

4K. Resolutions 12-03 and 12-04 – Resolutions of Appreciation for Outgoing Commissioners. BCWMC Technical Advisory Committee member Tom Mathisen presented words of recognition and appreciation for the services of out-going BCWMC Commissioner Pauline Langsdorf, City of Crystal. Commissioner de Lambert moved the approval of Resolution 12-03, a Resolution of Appreciation for the Services of Pauline Langsdorf. Commissioner Elder seconded the motion. The motion carried unanimously with eight votes in favor [City of Robbinsdale absent from vote].

Dave Hanson, Alternate Commissioner from Golden Valley, presented words of recognition and appreciation for outgoing Commissioner Linda Loomis. Acting Commissioner Judy Johnson moved to approve Resolution 12-04, a Resolution of Appreciation for the services of Linda Loomis. The motion carried unanimously with eight votes in favor [City of Robbinsdale absent from vote].

5. NEW BUSINESS

A. Requests by the Association of Medicine Lake Area Citizens (AMLAC)

- i. **BCWMC to Create a Document about the Medicine Lake Dam and Lake Level.** Chair Loomis reported that the Commission received a request from the Association of Medicine Lake Area Citizens to create a document about the Medicine Lake Dam and lake level. Ms. Chandler said that a document had previously been prepared by the Commission Engineer on this topic and Len Kremer had delivered a presentation about it. Ms. Chandler wondered if AMLAC was just interested in having all of that historic information combined into one document or if AMLAC is interested in something else. She commented that if the request is to create a document using the existing information and addressing just a few new questions then the Commission Engineer estimates that the work could be done for \$5,000. Commissioner Hoshal said he thought that AMLAC wanted the information in one document so that AMLAC could deliver the information to its residents in response to their questions.

Commissioner Elder asked if there was a way that AMLAC would cost share for the work. Ms. Clancy remarked that the City of Golden Valley's understanding has been that when the Commission Engineer is asked for work products that are for a specific city or a specific city's organization then that city is solely responsible for the costs of that work. Acting Commissioner Johnson asked if the Commission had a budget for the item. The Commission noted that it didn't have this type of work budgeted.

Acting Commissioner Goddard suggested that the Commission put the issue back to AMLAC and ask if it is interested in having this work be done at AMLAC's expense and if so, then to provide more specifics on what information it wants; otherwise the Cities of Plymouth and Medicine Lake could possibly provide the information.

Mr. Asche commented that AMLAC's request reads like a scope of services for a feasibility document. He said perhaps AMLAC would want to touch base with Minnehaha Creek Watershed District to find out what was involved with the Gray's Bay dam. Acting Commissioner Johnson recommended no action on this item and suggested that she or Commissioner Hoshal communicate with them that there were questions about what AMLAC was requesting and then perhaps the cities can work with AMLAC to provide the information that is already available.

Chair Loomis asked if the Commission wanted to take no action or wanted to table the agenda item until the February BCWMC meeting. The Commission concurred that it would table the item until the February meeting.

- ii. **BCWMC Participation in a 7 p.m. February 8th meeting on Aquatic Invasive Species.** See discussion under agenda item 4J.

B. TAC Recommendations

- i. **Review of Channel Maintenance Fund Applications for 2012 Projects.** Mr. Asche noted that the TAC reviewed a request from the City of Golden Valley for \$100,000 in Channel Maintenance funds for a 2012 stream bank restoration on the Bassett Creek Main Stem Reach 1, subreach 2. He said that Golden Valley has just over \$144,000 available to it in BCWMC Channel Maintenance funds. Mr. Asche reported that the TAC recommends that the

- Commission approve the City of Golden Valley's request for Channel Maintenance funds in the amount of \$100,000. Commissioner Langsdorf moved to approve the proposal by the City of Golden Valley for the use of \$100,000 from the BCWMC Channel Maintenance Fund for its 2012 Main Stem restoration project. Commissioner de Lambert seconded the motion. The motion carried unanimously with eight votes in favor [City of Robbinsdale absent from vote].
- ii. **Next Generation Plan Issue Identification.** Mr. Asche said that the TAC discussed the responses to the four questionnaires about issue identification. He said that the TAC recommends that the next step would be for all of the issue identification feedback to be assembled and brought to the Commission for its review, feedback, and addition of other issues at the February Commission meeting. Mr. Asche said that the TAC also recommends that the Commission discuss the Next Generation Plan planning process and communicate on how the process will happen. Chair Loomis said that the Next Generation Plan issues will be on the February meeting and as part of that discussion the Commission can decide how it wants to proceed with the process and if it wants to call for a work session apart from a regular Commission meeting to work on the Plan.
 - iii. **Preparation of Feasibility Study for the 2013 CIP Project NL-2 (Wetland dredging adjacent to the Four Seasons Mall site).** Mr. Asche said that this project is in the Commission's CIP as a water quality improvement project for Northwood Lake. He said that the *Watershed Management Plan* identifies the project as a pond dredging project that has the potential to reduce 73 pounds of phosphorous annually from draining into Northwood Lake as well as 14% of the total loading going into Northwood Lake. Mr. Asche described the complexities of the project due to the unknowns of the adjacent project, which is the redevelopment of the Four Seasons Mall site.

Mr. Asche summarized that the idea for the feasibility of this project is to broaden the scope of it and include other things besides the pond dredging that would contribute to the water quality improvement goal of an annual 73 pound reduction in phosphorus and 14% total loading draining into Northwood Lake. He noted some of the potential projects that could achieve the reductions and said that this feasibility report would focus on the various combinations of projects that could be undertaken to meet the goals.

Mr. Asche noted that the TAC discussed at some length the benefit to having the information from the P8 and XP-SWMM models that the Commission approved in its 2012 budget but hasn't yet moved ahead to order the work. He said that the TAC recommends that the Commission direct Barr Engineering to update both of those models and to start the updates with the Northwood Lake watershed. Mr. Asche said that he could prepare the scope of services for the feasibility study. He said that the TAC recommends that the Commission move forward with directing the feasibility study be prepared.

Ms. Chandler noted that the first part of the study could be a presentation of the different options but the report needs to end with a recommendation otherwise the Commission would not have what it needs to order the project. Ms. Chandler stated that the Commission Engineer believes that this project would require a minor plan amendment and also that the Commission would need a do-not-exceed number for its tax levy by the Commission's June meeting.

The Commission discussed the potential cost of the feasibility study. Mr. Asche said that he believes it would cost at least \$50,000.

Ms. Gwin-Lenth asked what role New Hope will play in the scope of services. Mr. Asche said the City of Plymouth has met with the City of New Hope staff preliminarily on this project and the City will be involved in this project, which will be part of the scope of services.

Acting Commissioner Johnson moved for Barr Engineering Company to proceed with doing the hydrologic and hydraulic modeling and the XP-SWMM modeling beginning with the Northwood Lake subwatershed and also moved that the City of Plymouth prepare the scope of services for the feasibility report and distribute the scope of services to the BCWMC's engineering pool. Commissioner Langsdorf seconded the motion.

There was discussion about whether the Commission or the City of Plymouth would be the client for the feasibility study. Acting Commissioner Goddard brought up the issue of the project's time frame in relation to the Commission selecting who would be the client for the feasibility study.

The Commission agreed that the quickest process would be for the City of Plymouth to handle the feasibility study.

The Commission discussed the need for a resolution to be prepared for the Commission for its February meeting that would approve an agreement between the City of Plymouth and the Commission regarding the preparation of the feasibility report and the reimbursement for the costs of preparing the report. Chair Loomis directed legal counsel to prepare a draft of the necessary documents for the February meeting regarding the arrangement between the City of Plymouth and the BCWMC for the preparation of the feasibility report.

Chair Loomis made the friendly amendment to the motion to include that the Commission is ordering the feasibility study for the CIP project NL-2, the City of Plymouth would be responsible for the feasibility study, and the BCWMC's legal counsel would prepare the agreement between the City of Plymouth and the BCWMC regarding the feasibility study.

The friendly amendment was approved by Acting Commissioner Johnson and Commissioner Langsdorf. The motion carried unanimously with eight votes in favor [City of Robbinsdale absent from vote].

- C. **Request from City of Plymouth for the BCWMC to Prepare a Feasibility Study for the Pond Dredging Project in the Northwood Lake Watershed (on the BCWMC's CIP for 2013). See discussion in 4Biii.**
- D. **Request for Authorization to Proceed with 2012 Watershed-wide Water Quality (P8) Modeling Study. See discussion in 4Biii.**
- E. **Request for Authorization to Proceed with 2012 Watershed-wide Hydrologic and Hydraulic (XP-SWMM) Modeling Study. See discussion in 4Biii.**
- F. **Draft BCWMC Letter to Mississippi Watershed Management Organization on Draft Amendment to MWMO 2011-2012 Plan. Ms. Chandler said that the amendment includes a project for the old Bassett Creek Tunnel. She said the Commission Engineer prepared draft comments to send to the MWMO to remind it of the joint and cooperative agreement between the MWMO and the BCWMC and to request that a reference to the agreement be included in the MWMO's Plan amendment. Chair Loomis noted that she has authorized the Commission Engineer to review the plan amendment and to draft the comments. Commissioner de Lambert moved to approve**

sending the comments to the MWMO. Acting Commissioner Goddard seconded the motion. The motion carried unanimously with eight votes in favor [City of Robbinsdale absent from vote].

- G. **Bottineau Transitway Scoping Booklet Draft Environmental Impact Statement.** Ms. Chandler said there is a deadline for commenting on the scoping booklet. She said that the Commission Engineer would like to take the opportunity during the comment period to reiterate the information the BCWMC had previously conveyed in meetings on the project such as policies on fill in the wetlands and creek and the Commission's project requirements. Ms. Chandler said that the comment letter needs to be sent by February 17, 2012. Chair Loomis added that public meetings on the scoping document are being held including the first at the Wirth Chalet on January 23rd from 4:30 p.m. to 6:30 p.m. Ms. Chandler stated that the second meeting will be on January 24th from 6:00 p.m. to 8:00 p.m. in the Brooklyn Park City Hall, the third will be on January 25th from 5:30 p.m. to 7:30 p.m. in the Urban Research and Outreach Engagement Center in north Minneapolis, and the fourth will be on January 31st from 6:00 p.m. to 8:00 p.m. at the Robbinsdale City Hall. Acting Commissioner Goddard moved to approve directing the Commission Engineer to submit a letter of comments about the Bottineau Transitway Scoping Booklet. Commissioner Elder seconded the motion. The motion carried unanimously with eight votes in favor [City of Robbinsdale absent from vote].
- H. **Southwest Light Rail Meeting Request.** Chair Loomis said that the BCWMC received a request from Hennepin County that BCWMC technical staff attend a January 25th or 26th meeting with Hennepin County staff and watershed districts and organizations regarding storm water management planning for the Southwest Light Rail Transit. Commissioner de Lambert moved to approve the Commission Engineer attending the meeting. Commissioner Elder seconded the motion. The motion carried unanimously with eight votes in favor [City of Robbinsdale absent from vote].

6. OLD BUSINESS

- A. **Resolution 12-05 Approving the Cooperative Agreement for the Main Stem Restoration Project (Irving Avenue to Golden Valley Road).** The Commission discussed the status of this agreement. Mr. LeFevere said that he had received yesterday a message from Commissioner Welch with some requested changes to the agreement. Mr. LeFevere said he thinks the Commission can work through those requested changes. He said Commissioner Welch feels that approval of the final plans and specifications and any changes in the final plans and specifications should come to the Commission instead of being delegated to the Commission Engineer. Mr. LeFevere said the Commission would need to discuss how it wants to handle the process.
- Mr. LeFevere said that if Minneapolis agrees with Commissioner Welch's requested changes, then Mr. LeFevere could bring alternate language to the next meeting and the Commission could decide at that time. Chair Loomis asked if anyone had thoughts on this now or if the Commission wants Counsel to draft the alternate language and the discussion would be part of the February meeting. The Commission agreed to direct Mr. LeFevere to draft the alternate language for review at the next BCWMC meeting.
- B. **Update on Policy Manual Revisions.** Mr. LeFevere noted that he and Ms. Chandler had worked on revisions as previously directed by the Commission and the revisions are in the meeting packet for the Commission review. Chair Loomis asked if the Commission wanted to go through the proposed changes now or send the proposed changes to the administrative services committee. Mr. LeFevere said it would be a good idea to receive the Commission's thoughts on reorganization of the funds section of the document. He suggested that he and Ms. Chandler put together a short memo for the

Administrative Services Committee. Chair Loomis said that the Committee has a meeting scheduled for January 27th.

7. COMMUNICATIONS

[Commissioner Welch arrives]

Chair:

1. Chair Loomis stated that the next scheduled TAC meeting is in April for the CIP review. She asked if the Commission or TAC thought that a meeting would need to be scheduled prior to April. The Commission discussed the TAC's next step in the Next Generation Planning process and indicated that the Commission should move forward with developing a process in order to give the TAC guidance before turning the item back over to the TAC.

Commissioner Welch brought up his recommendation for the policy change that he made nine months ago regarding the Commission's water quality treatment standards and the triggers for project review and a possible water quality trading or banking program. He said he proposed a framework and he would like it to come to a conclusion. Ms. Clancy said that the TAC did begin that discussion and the former Administrator did create a matrix of the member-cities' ordinances but that the topic has not been picked up again. Ms. Chandler said it would take a little time. Chair Loomis directed a TAC meeting to be tentatively scheduled for March and at the February BCWMC meeting the Commission Engineer can present the status of the information on the topic and then the Commission can decide if the next TAC meeting should be in March or in April.

2. Chair Loomis said that the feasibility report on the Schaper Park Pond will be presented at the February meeting by Keith Pilgrim of Barr Engineering. She asked if the Commission would like Mr. Pilgrim to present on the Twin Lake Management options at the same meeting. The Commission indicated that it would like to hear presentation on the Twin Lake Management options as well.

Commissioners:

1. Commissioner Hoshal reported that he and John O'Toole have been reappointed by the City of Medicine Lake as the Commissioner and Alternate Commissioner, respectively, to the BCWMC.
2. Commissioner Hoshal said that TAC member Ferdousi Gramling asked that her thanks be communicated to the TAC for the card.
3. Commissioner Welch expressed his appreciation for the services of Commissioner Langsdorf and Loomis to the Commission during their years of service.
4. Commissioner Hoshal said that available online are the results of the 2010 CAMP monitoring program.

[Acting Commissioner Goddard departs meeting and Commissioner Welch takes over representing the City of Minneapolis.]

Committees:

Education Committee

- 1. Commissioner Langsdorf noted that the Commission has agreed to be at the Environmental Fair in the end of March. She said she hopes that Commission members will assist Liz Thornton at the event. She noted that the Commission also has agreed to be at the Plymouth Yard and Garden Expo on April 13th and 14th. Ms. Langsdorf noted that the Commission has \$2,000 budgeted for 2012 participation in the Metro Blooms rain garden workshops. She said that the West Metro Water Alliance (WMWA) will be discussing the 2012 plans for the program at the next WMWA meeting in the end of January. Commissioner Hoshal asked Commissioner Langsdorf if she would attend one more Education and Public Outreach Committee meeting to work out the details she has brought up. Commissioner Langsdorf said yes.

Counsel Communications:

- 1. Mr. LeFevere said that he has just received a communication from Lois Eberhart of Minneapolis who said she has been out of town due to a death in the family but she is back at work and will move forward with reviewing the cooperative agreement for the Main Stem Restoration project.

Engineer Communications: No Engineer Communications.

9. ADJOURNMENT

The meeting adjourned at 2:04 p.m.

Chair	Date	Amy Herbert, Recorder	Date
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Secretary	Date
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