



Bassett Creek Watershed Management Commission

Minutes of Regular Meeting September 17, 2015 Golden Valley City Hall, 8:30 a.m.

Commissioners and Staff Present:

Crystal	Commissioner Guy Mueller, Vice Chair	Plymouth	Commissioner Ginny Black
Golden Valley	Alternate Commissioner Jane McDonald Black	Robbinsdale	Alternate Commissioner Michael Scanlan
Medicine Lake	Alternate Commissioner Gary Holter	St. Louis Park	Commissioner Jim de Lambert, Chair
Minneapolis	Commissioner Michael Welch	Administrator	Laura Jester
Minnetonka	<i>Not represented</i>	Attorney	Troy Gilchrist, Kennedy & Graven
New Hope	Commissioner John Elder	Engineer	Karen Chandler, Barr Engineering

Technical Advisory Committee (TAC) Members/ Other Attendees Present:

Derek Asche, TAC, City of Plymouth	Richard McCoy, TAC, City of Robbinsdale
Steve Christopher, BWSR	Jeff Oliver, TAC, City of Golden Valley
Lois Eberhart, TAC, City of Minneapolis	Jacob Newhall, WSB & Assoc.
Harvey Feldman, Friends of Northwood Lake	David Stack, Friends of Bassett Creek
Erick Francis, TAC, City of St. Louis Park	Mark Ray, TAC, City of Crystal
Jere Gwin-Lenth, Friends of Northwood Lake	Greg Williams, Barr Engineering
Tyler Johnson, City of New Hope	Liz Stout, TAC, City of Minnetonka
Chris Long, TAC, City of New Hope	Andrea Weber, MPRB
Linda Loomis, Chair, Plan Steering Cmttee	

1. CALL TO ORDER AND ROLL CALL

On Thursday, September 17, 2015, at 8:32 a.m. in the Council Conference room at Golden Valley City Hall, Chair de Lambert called to order the meeting of the Bassett Creek Watershed Management Commission (BCWMC) and asked for roll call to be taken [Cities of Crystal and Minnetonka absent from roll call].

2. CITIZEN FORUM ON NON-AGENDA ITEMS

[Commissioner Muller, City of Crystal arrived].

No comments were presented.

3. AGENDA

Commissioner Mueller moved to approve the agenda as presented. Commissioner Black seconded the motion. Upon a vote, the motion carried 8-0 [City of Minnetonka absent from vote].

4. CONSENT AGENDA

Commissioner Elder moved to approve the Consent Agenda. Commissioner Black seconded the motion. Upon a vote, the motion carried 8-0 [City of Minnetonka absent from vote].

[The following items were approved as part of the Consent Agenda: the July 16, 2015, and August 20, 2015, meeting minutes, the September 2015 financial report, the payment of invoices, Approval of Commissioner Request for Reimbursement to Attend Minnesota Water Resources Conference, Approval of Cornerstone Creek Project in Golden Valley, Approval of the Sochacki Trail Paving Project in Robbinsdale, and Approval to Set November Commission Meeting for Wednesday, November 18, 2015.]

The general and construction account balances reported in the Fiscal Year 2015 Financial Report prepared for the September 17, 2015, meeting are as follows:

Checking Account Balance	\$616,572.28
TOTAL GENERAL FUND BALANCE	\$616,572.28
TOTAL CASH & INVESTMENTS ON-HAND (9/09/15)	\$3,862,573.60
CIP Projects Levied – Budget Remaining	(\$4,014,653.13)
Closed Projects Remaining Balance	\$152,079.53
2012-2014 Anticipated Tax Levy Revenue	\$5,585.36
2015 Anticipated Tax Levy Revenue	\$495,084.26
Anticipated Closed Project Balance	\$348,590.09

5. BUSINESS

A. Items Related to Adoption and Distribution of 2015-2025 BCWMC Watershed Management Plan

i. Review Draft Credits Page and Proposed Changes to Requirements Document (Appendix H)

Administrator Jester reviewed the draft credits page with the Commission and took note of requested edits. Commissioner Black moved to approve the credits page as amended. Commissioner Elder seconded the motion. Upon a vote, the motion carried 8-0 [City of Minnetonka absent from vote].

Administrator Jester described the proposed changes to the Requirements document. She explained

that the changes were to ensure that the document was consistent throughout and in-line with the policies in the 2015 Watershed Management Plan.

Commissioner Welch requested edits to wording in section 2.5, section 4.5.2, and section 4.5. He described the reasoning behind his and Alternate Commissioner Goddard's requested changes and offered new language. Commissioner Black moved to approve the Requirements document with the proposed changes and edits. Commissioner Mueller seconded the motion. Upon a vote, the motion carried 8-0 [City of Minnetonka absent from vote].

ii. Review Transmittal Letter

Administrator Jester explained that the transmittal letter needs to accompany the BCWMC's 2015 Watershed Management Plan when it is distributed after adoption. She noted that BWSR does not require written response to 90-day comments and instead requested that a summary of the changes resulting from the 90-day comments be included in the transmittal letter. Administrator Jester asked for comments on the letter and read aloud one revision requested by the Commission Engineer.

Commissioner Black moved to approve the transmittal letter as amended. Commissioner Elder seconded the motion. Upon a vote, the motion carried 8-0 [City of Minnetonka absent from vote].

iii. Discuss Plan Printing and Distribution

Administrator Jester reported that the cost of printing the plan is \$500 for a printing set up fee and \$80 per copy. She described printing options, stated that she recommends having Barr Engineering handle the printing, and asked who wanted a printed copy. She noted that some TAC members, state agencies, and other partners requested printed copies and that the Commission will have a few extra copies on hand for a total of 20 printed copies at current count. No Commissioners asked for printed copies indicating they could access the Plan online and/or with a CD copy. Commissioner Black moved to direct staff to print the number of copies already requested and including the printing of appendices A, B, and C. Commissioner Elder seconded the motion. The Commission discussed printing one for the Golden Valley library; Administrator Jester said she would request that the library have a printed copy available. Upon a vote, the motion carried 8-0 [City of Minnetonka absent from vote]. Administrator Jester said that staff plans to bring a full cost accounting of the entire Plan to the BCWMC's October meeting.

iv. Receive Plan Approval Documents from BWSR

Administrator Jester summarized the plan approval documents that the BCWMC received from BWSR. Mr. Christopher of BWSR commented that BWSR is impressed with the Commission's Plan development process.

v. Consider Approval of Resolution Adopting Plan

Commissioner Black moved to adopt the Resolution Adopting the Watershed Management Plan. Alternate Commissioner McDonald Black seconded the motion. Administrator Jester thanked Greg Williams of Barr Engineering for his work with the Commission on the plan. Upon a vote, the motion carried 8-0 [City of Minnetonka absent from vote].

B. Consider Approval of Resolution of Appreciation for Plan Steering Committee Chair, Linda Loomis

Chair de Lambert read aloud the resolution of appreciation for Plan Steering Committee Chair Linda Loomis. Commissioners and staff offered comments of appreciation for Ms. Loomis' work and time. Commissioner Welch moved to adopt the resolution. Commissioner Black seconded the motion. Upon a vote, the motion

carried 8-0 [City of Minnetonka absent from vote].

C. Receive Presentation on Progress of Bassett Creek Main Stem Restoration Project Through Wirth Park (2012CR-M)

Ms. Andrea Weber of the Minneapolis Park and Recreation Board displayed a map of the project location and gave a PowerPoint presentation. She summarized the project, noting that originally the project was to extend to Irving Avenue South but the MPRB scaled it back. She said this change was the only change in the project's overall scope. Ms. Weber talked about the change in the project at site 1, the Fruen Mill site, due to challenges with addressing floodplain and easement issues in that area. She explained that the work at site 1 was not included in the project bid award but the MPRB hopes to do restoration at that site in the future, noting that there are new property owners.

Ms. Weber showed slides of the restoration project work and described what has been completed. She mentioned side channel and trail work by the City of Minneapolis that was undertaken at the same time as the restoration project. Ms. Weber concluded by saying that the project work turned out well and the MPRB is pleased with the quality of the work performed by the contractor.

Administrator Jester commented that the BCWMC has received Clean Water Grant funding for this project and the BCWMC needs to receive a final report and final reimbursement request before the grant expires at the end of the year.

Commissioner Welch remarked that it would have been helpful to have had more frequent updates on this project. He said that there is a lot of disappointment in the community that the Fruen Mill site wasn't included. There was discussion about the Fruen Mill site. Ms. Weber and Ms. Eberhart answered specific questions about the project, including practices used in the area of site 6 and more information about the construction bid accepted for the project and its cost compared to the funds available to do the project.

Alternate Commissioner Scanlan said he was impressed by the area viewable from Golden Valley Road, noting it was the best improvement in the area in decades. Commissioner Welch said he believes the overall project is very good and that he's glad it was accomplished.

D. Consider Approval of Proposal for Preparation of Feasibility Study for Bassett Creek Main Stem Restoration Project (2017CR-M)

Lois Eberhart, Water Resources Coordinator for the City of Minneapolis, introduced herself, displayed a map of the proposed project area, and described the location of the project. She summarized that the project is a creek restoration project and does not have the purpose of adding amenities. Ms. Eberhart mentioned that although at one point the idea of a park in the proposed project area was raised by the community, there is no momentum on this idea and no funding for a park has been identified.

She said that because of the history of industry along the proposed project reach, the City anticipates running into some contamination that will need to be mitigated in order to do stream restoration. She showed on the screen the reach of the feasibility study and described components of the study. Ms. Eberhart presented the estimated study costs for the three proposed areas of the project including Cedar Lake Road to Irving Avenue with a proposed feasibility study cost of \$72,800, Irving Avenue to the entrance to the old Bassett Creek Tunnel with a proposed feasibility study cost of \$9,500, and the Fruen Mill Reach with a proposed feasibility study cost of \$4,500. She recommended that the feasibility study include all three areas for a total cost of \$86,800.

Ms. Eberhart provided historical information about the creek and how in the 1940s Mn/DOT re-routed it as part of the Highway 55 expansion. She showed on a map the original creek channel and the re-routed (new) channel and explained that there is overflow into the old channel which should still be considered part of the

Main Stem. She explained that after the flooding of 2014, there was a large amount of dredging the City completed in the old channel but that a Mn/DOT-owned culvert under Olson Memorial Highway is plugged so the sediment will continue to build up. Ms. Eberhart remarked that she has contacted Mn/DOT in attempts to get the culvert cleared out but there has been no work done by MnDOT to date. She stated that a proposed BCWMC CIP project is slated for 2020 for this area. Ms. Eberhart spoke about the Bottineau (Blue Line LRT) project coming through this area that will need to address some of these items.

Ms. Eberhart announced that the City of Minneapolis will contract with Barr Engineering for the feasibility study. She said it is unknown how much contamination there might be and how much Phase II work is needed. She said the proposal estimates the cost of that work at \$20,500, but this extent of work might not be necessary.

Ms. Chandler briefly spoke about the proposed timeline. Ms. Eberhart said that the proposed final report will come to the Commission in March 2016. Administrator Jester asked for more details on the proposed public input process. Ms. Eberhart apologized that the information wasn't obvious in the scope of services but it goes without saying that the City would be providing opportunity for public input.

There was discussion.

Commissioner Welch moved to authorize the Administrator to work with Ms. Eberhart to draft a letter with the Chair's signature urging Mn/DOT to immediately address the blocked culvert under Highway 55. Commissioner Mueller seconded the motion. Upon a vote, the motion carried 8-0 [City of Minnetonka absent from vote].

Commissioner Welch asked about the timeline of this proposed feasibility study in regard to the Commission's CIP process. Administrator Jester replied that this project is in the Commission's 10-year CIP so the Plan Amendment process isn't necessary. Commissioner Welch said he would like to see what the most productive avenue could be to move forward. He offered remarks regarding the possible public disappointment that this project doesn't incorporate more. He said that he thinks that the public process and the Commission's role need to be specifically spelled out and before the Commission takes action on this proposal he would like to work offline with Ms. Eberhart and Engineer Chandler and anyone else who wants to be part of the discussion. Commissioner Welch raised the points that the project potentially includes invasive testing and involves multiple property owners so he thinks it would be good to get the Commission's feedback on the public process in an initial way. Ms. Chandler noted that a one-month delay in the Commission's decision wouldn't affect the project but a two-month delay in taking action could. There was extensive discussion.

Alternate Commissioner Scanlan moved to approve going forward with the feasibility study for Reach 1, Cedar Lake Road to Irving Avenue, as identified in the proposal. Alternate Commissioner McDonald Black seconded the motion. Ms. Eberhart recommended that all areas be studied at the same time. Ms. Eberhart commented that she is unclear about Commissioner Welch's concerns, and she listed the public meetings that she's committing to include as part of the project such as an open meeting and talking to the neighborhoods and the redevelopment committee. She said she is not sure what could be included in this feasibility proposal to shape it differently. Ms. Eberhart noted that language about the public process could be tweaked even after the proposal has been approved if the Commission so authorizes.

Commissioner Welch explained that he thinks there are complicated property issues with this project in regard to invasive work on property without an allocation of responsibility and liability among the two entities; he has concerns that the proposed agreement between the City and the Commission does not have an appropriate level of oversight; and that overall the proposal for the feasibility study is unclear. Commissioner Welch said

he thinks that a better proposal could be developed for the Commission's next meeting. There was discussion. Commissioner Scanlan modified his motion to include proposed Reach 2, Irving Avenue to the entrance to the Old Bassett Creek Tunnel. Commissioner Mueller seconded the motion to amend the original motion. Upon a vote, the motion carried 8-0 [City of Minnetonka absent from vote].

Administrator Jester remarked that she had been hoping for more detail in the proposal and she thinks that the parties can discuss it and improve it.

Commissioner Elder moved to table this item until the Commission's next meeting. Commissioner Black seconded the motion. Upon a vote, the motion carried 8-0 [City of Minnetonka absent from vote].

[Commissioner Black departed the meeting.]

E. Receive Update on 2015 Operating Budget Status

Administrator Jester provided an informational update on the budget and reported that the yearly budget is on track, that some line items are over budget, but others are under budget. She predicted the Commission would end the budget year overall slightly under budget and noted that staff are continually watching the budget and expenses.

F. Consider Agreement with Metropolitan Council for Reimbursement of BCWMC Expenses Related to Review of Blue Line LRT

Administrator Jester reported that the agreement has been reviewed by the Commission's Legal Counsel as well as by the Met Council's legal counsel. She said the agreement is for reimbursement for up to \$30,000 and is retroactive from the end of June. Commissioner Elder moved to approve entering into the agreement with the Metropolitan Council. Alternate Commissioner McDonald Black seconded the motion. Upon a vote, the motion carried 7-0 [Cities of Minnetonka and Plymouth absent from vote].

G. Consider Approval of 50% Plans for Northwood Lake Improvement Project (NL-1)

Mr. Chris Long from Stantec provided a summary of the project and introduced Tyler Johnson from Stantec, who presented the 50% plans for the Northwood Lake Improvement project. Mr. Long addressed the topic of ultra violet treatment of the water before it is reused. He noted that the UV treatment is recommended by the Commission Engineer and the City is still researching that option. Mr. Long described the estimated costs of installation at \$5,000-\$15,000, plus maintenance of the UV system including replacement of the bulbs and cleaning of the lenses. He said that the City would like guidance from the Commission regarding UV treatment. He remarked that the Met Council's Storm Water Re-Use Guidance Manual recommends using the UV treatment. There was discussion about possibly incorporating signage that would let people know that the water is not potable and is recycled storm water, but Mr. Long pointed out that the area that will be irrigated is not closed off from park users. Mr. Long noted that the 90% design plans would be presented at the November Commission meeting and they will include a 160,000 gallon storm water reuse chamber (unlike the smaller chamber presented in these plans).

Engineer Chandler went through the Commission Engineer's recommendations on the 50% plans and pointed out that an appropriation permit is required. There was discussion. Alternate Commissioner Scanlan moved to approve the 50% plans with the Commission Engineer's recommendations to authorize the City to proceed with final plans and documents. Commissioner Elder seconded the motion. Upon a vote, the motion carried 6-0 [City of Minneapolis abstained from vote. Cities of Minnetonka and Plymouth absent from vote].

Mr. Long noted the City of New Hope would likely be requesting the use of Channel Maintenance Funds for

sediment removal in adjacent ponds. He also noted he hoped for more direction on the use of UV treatment.

H. Consider Approval of 50% Plans for Honeywell Pond Expansion Project (BC-4)

Mr. Jeff Oliver, City Engineer for City of Golden Valley, summarized the project and introduced Mr. Jake Newhall of WSB & Associates. Mr. Newhall provided a PowerPoint presentation of the 50% plans, summarized the project funding, and mentioned separate, non-Commission projects being constructed in the area at the same time. He responded to comments and questions.

[Alternate Commissioner McDonald Black departed the meeting.]

Engineer Chandler summarized the Engineer's comments. She noted that clarification is still needed about whether an appropriation permit is required. Mr. Newhall stated that only one of the Engineer's comments remains to be addressed: Item 4 – Pumping for Irrigation of Sandburg fields. He said that this will be addressed with the 90% plans. There was discussion. Mr. Oliver responded to questions about the amount of water available for irrigation and the bounce within the pond.

Commissioner Welch moved to authorize the City of Golden Valley to proceed with final plans and contract documents. Alternate Commissioner Scanlan seconded the motion. Upon a vote, the motion carried 6-0 [Cities of Golden Valley, Minnetonka, and Plymouth absent from vote].

I. Receive Invitation for NEMO Workshop for Local Officials on Winter Maintenance & Use of Chlorides

Administrator Jester announced that there will be a NEMO workshop for local leaders regarding winter road and parking lot management on October 7 from 6-8:30 p.m. at the City of Minnetonka Public Works Facility. Ms. Stout said that the event also includes a tour of the City's public works facilities and meeting some of the equipment operators.

J. Consider Volunteering at Golden Valley Arts and Music Festival

Administrator Jester updated the Commission about the volunteer schedule for the event.

6. COMMUNICATIONS

A. Administrator:

- i. Administrator Jester said she attended the Clean Water Summit at the U of M Landscape Arboretum, and she provided a summary. She reported that one take away from the Summit was a presentation on chloride pollution, critical reasons for cities and watershed organizations to be addressing the pollution and the use of pervious pavements to reduce the need for salt. She noted there was a study in Robbinsdale comparing salt use on pervious vs. traditional pavements.

Commissioner Welch asked for more information on Administrator Jester's take-aways about the pervious pavement. Mr. Oliver brought up long-term sustainability questions of these technologies and long-range effectiveness questions. Mr. McCoy noted the U of M is submitting a grant application to continue its research on pervious pavements in Robbinsdale and that one of their study sites is actually in the Bassett Creek watershed. He said the BCWMC could write a letter of support for the research and the grant application. Commissioner Welch moved that the BCWMC provide a letter of support for the continuation of the U of M's research project on pervious pavement. Commissioner Mueller seconded the motion. Upon a vote, the motion carried 5-0 [Cities of Golden Valley, Minnetonka, New Hope, and Plymouth absent from vote].

- ii. Administrator Jester reported that the Commission's education materials had been used at several events in the last few months.
- iii. Administrator Jester reported that staff is creating a press release regarding the BCWMC's 2015 volunteer recognition.
- iv. Administrator Jester announced an upcoming Aquatic Invasive Species training event.

[Commissioner Elder departed the meeting.]

B. Chair: No Chair Communications

C. Commissioners:

- i. Commissioner Welch gave an update about former BCWMC administrator Geoff Nash.
- ii. Commissioner Mueller reported that he has been reading about constructed wetlands and asked if the Commission's technical staff would look into the research about constructed wetlands from time to time to stay current.

D. TAC Members:

- i. Mr. Erick Francis reported that the TAC met on September 8 to discuss the BCWMC Channel Maintenance Fund policy and the study on the roles and responsibilities for long term maintenance of the Flood Control Project. He said that the TAC will continue the discussion at its next meeting on November 5th.
- ii. Mr. Jeff Oliver updated the Commission on an unauthorized project at a residence in the Hidden Lakes neighborhood and the actions that the City of Golden Valley, the DNR, and Hennepin County have taken including cease and desist orders, stop work orders, and restoration orders.
- iii. Ms. Liz Stout announced that this will be her last BCWMC meeting as a representative of the City of Minnetonka because she has taken a new position with the City of Minneapolis starting in October.

E. Committees: No Committee Communications

F. Legal Counsel:

- i. Attorney Gilchrist commented that he is glad to be here as the BCWMC's legal counsel.

G. Engineer: No Engineer Communications

7. INFORMATION ONLY (Available at <http://www.bassettcreekwmo.org/Meetings/2015/2015-September/2015SeptemberMeetingPacket.htm>)

- A. CIP Project Update Chart
- B. Grant Tracking Summary and Spreadsheet
- C. The Future of Our Water Supply, League of Women Voters Event, 9/24/15, 7-8:30 p.m., Crystal Community Center
- D. West Metro Water Alliance Meeting Minutes, July 2015 and August 2015
- E. Pollinator-Friendly Alliance Event, Sunday, September 13, 1-6 p.m., Stillwater

8. ADJOURNMENT

Commissioner Welch moved to adjourn the meeting. Alternate Commissioner Scanlan seconded the meeting. Chair de Lambert adjourned the meeting at 11:25 a.m.

Recorder

Date

Secretary

Date