



Bassett Creek Watershed Management Commission

Regular Meeting
Thursday March 16, 2017
8:30 – 11:00 a.m.

Council Conference Room, Golden Valley City Hall, Golden Valley, MN

AGENDA

1. CALL TO ORDER and ROLL CALL

2. CITIZEN FORUM ON NON-AGENDA ITEMS - *Citizens may address the Commission about any item not contained on the regular agenda. A maximum of 15 minutes is allowed for the Forum. If the full 15 minutes are not needed for the Forum, the Commission will continue with the agenda. The Commission will take no official action on items discussed at the Forum, with the exception of referral to staff or a Commissions Committee for a recommendation to be brought back to the Commission for discussion/action.*

3. APPROVAL OF AGENDA

4. CONSENT AGENDA

- A. Approval of Minutes – February 16, 2017 Commission Meeting
- B. Approval of March 2017 Financial Report
- C. Approval of Payment of Invoices
 - i. Keystone Waters, LLC – February Administrator Services
 - ii. Keystone Waters, LLC – February Meeting Materials Distribution Expenses
 - iii. Barr Engineering – February 2017 Engineering Services
 - iv. Triple D Espresso – March 2017 Meeting Refreshments
 - v. Wenck – February 2017 WOMP Monitoring
 - vi. Lawn Chair Gardener – February 2017 Administrative Services
 - vii. MMKR – 2016 Financial Audit
- D. Approval of CenterPoint Energy 2017 MBLC Replacement Project
- E. Approval of Agreement with Hennepin County for Environmental Response Fund Grant for Main Stem Erosion Repair CIP Project
- F. Approval of Clean Water Fund Grant Agreement for Plymouth Creek Restoration CIP Project and Harrison Neighborhood Project
- G. Approval of Agreement with Hennepin County for Opportunity Grant for Plymouth Creek Restoration CIP Project
- H. Approval to Direct Staff to Develop and Chair to Execute Sub-grant Agreements with City of Plymouth, Metro Blooms, and the City of Minneapolis

5. BUSINESS

- A. Consider Approval of Resolution of Appreciation for Alternate Commissioner Lisa Goddard
- B. Consider Approval to Set May 4 Technical Advisory Committee Meeting and Assign Liaison
- C. Consider Approval of Golden Valley 2017 Pavement Management Plan and Request for Temporary Variance
- D. Consider Golden Valley Request to Transfer CIP Funds from 2013 Lakeview Park Pond Project to Project to Purchase of Flood Prone Properties
- E. Consider Commission Engineer Recommendations on BCWMC Performance Standards for Linear Projects
- F. Consider Technical Advisory Committee Recommendations
 - i. Channel Maintenance Funds and Request from City of New Hope
 - ii. 5-year CIP List and Project Fact Sheets
 - iii. Update on Discussions of XP-SWMM Model

- G. Consider Adding Sediment Monitoring to Sweeney Lake Aeration Study
- H. Consider Directing Staff to Begin Minor Plan Amendment Process for CIP Projects
- I. Consider Education Committee Recommendations on 2017 Education Budget and Work Plan

6. COMMUNICATIONS

- A. Administrator's Report
 - i. Volunteers Needed for Upcoming Events
 - ii. Update on Agora Development
- B. Chair
- C. Commissioners
- D. TAC Members
- E. Committees
- F. Legal Counsel
- G. Engineer

7. INFORMATION ONLY (Information online only)

- A. CIP Project Updates: Now Available Online <http://www.bassettcreekwmo.org/projects>
- B. Grant Tracking Summary and Spreadsheet
- C. World Water Day Event, Harrison Neighborhood March 22
- D. WCA Notice of Application and Delineation Report, Golden Valley
- E. WCA Notice of Application, Plymouth Creek Restoration Project

8. ADJOURNMENT

Upcoming Meetings & Events

- BCWMC Regular Meeting: Thursday April 20th, 8:30 a.m., Council Conf Room, Golden Valley City Hall
- World Water Day Event: Wednesday March 22, 6:00 – 8:00 p.m., "The Living Room," 1617 Glenwood Ave. North, Minneapolis
- Plymouth Home Expo: Friday April 7th 6:00 – 9:00 p.m. & Saturday April 8th 9:00 a.m. – 1:00 p.m., Plymouth Creek Center Fieldhouse, Plymouth
- BCWMC Education Committee: Monday April 24th 1:00 – 2:30, Golden Valley City Hall
- BCWMC TAC Meeting: Thursday May 4th, 1:30 – 3:30 p.m., Council Conference Room, Golden Valley City Hall



Bassett Creek Watershed Management Commission

AGENDA MEMO

Date: March 9, 2016

To: BCWMC Commissioners

From: Laura Jester, Administrator

RE: Background Information for 3/16/17 BCWMC Meeting

1. **CALL TO ORDER and ROLL CALL**
2. **CITIZEN FORUM ON NON-AGENDA ITEMS**
3. **APPROVAL OF AGENDA** – ACTION ITEM with attachment
4. **CONSENT AGENDA**
 - A. Approval of Minutes – February 16, 2017 Commission meeting- **ACTION ITEM with attachment**
 - B. Approval of March 2017 Financial Report - **ACTION ITEM with attachment**
 - C. Approval of Payment of Invoices - **ACTION ITEM with attachments (online)** – *I have reviewed the following invoices and recommend approval of payment.*
 - i. Keystone Waters, LLC – February Administrator Services
 - ii. Keystone Waters, LLC – February Meeting Materials Distribution Expenses
 - iii. Barr Engineering – February 2017 Engineering Services
 - iv. Triple D Espresso – March 2017 Meeting Refreshments
 - v. Wenck – February 2017 WOMP Monitoring
 - vi. Lawn Chair Gardener – February 2017 Administrative Services
 - vii. MMKR – 2016 Financial Audit
 - D. Approval of CenterPoint Energy 2017 MBLC Replacement Project – **ACTION ITEM with attachment** – *The proposed project includes installation of 2,628 feet of 24-inch-diameter natural gas pipeline in the Bassett Creek Main Stem subwatershed. Project activities will take place within a 45-foot wide corridor. Most of the pipeline will be installed using the open trench method, including 40 feet of pipeline to be installed under Bassett Creek. The project includes 2.50 acres of grading and results in no change in impervious surface. Staff recommends conditional approval with comments in attached memo.*
 - E. Approval of Agreement with Hennepin County for Environmental Response Fund Grant for Main Stem Erosion Repair CIP Project - **ACTION ITEM with attachment** – *Commission Legal Counsel and Engineer have reviewed and recommend approval of the agreement with Hennepin County to receive grant funds for cleanup of contaminated soils during construction of the Main Stem Erosion Repair Project.*
 - F. Approval of Clean Water Fund Grant Agreement for Plymouth Creek Restoration CIP Project and Harrison Neighborhood Project – **ACTION ITEM with attachment** – *Commission Legal Counsel and Administrator have reviewed and recommend approval of the agreement with the MN Board of Water and Soil Resources to receive Clean Water Funds for the Plymouth Creek Restoration and Harrison Neighborhood Projects.*
 - G. Approval of Agreement with Hennepin County for Opportunity Grant for Plymouth Creek Restoration CIP Project – **ACTION ITEM with attachment** - *Commission Legal Counsel and Administrator have reviewed and recommend approval of the agreement with Hennepin County to receive Opportunity Grant funds for the Plymouth Creek Restoration Project.*

- H. Approval to Direct Staff to Develop and Chair to Execute Sub-grant Agreements with City of Plymouth, Metro Blooms, and the City of Minneapolis – **ACTION ITEM no attachment** – *Staff recommends that sub-grant agreements for each of the three agreements above be developed by the Commission's Legal Counsel and executed by the Commission Chair in order for provisions of the grants to be carried out by entities implementing the projects.*

5. BUSINESS

- A. Consider Approval of Resolution of Appreciation for Alternate Commissioner Lisa Goddard - **ACTION ITEM with attachment** – *Alternate Commissioner Lisa Goddard recently made a career move and now works for the City of Minneapolis. As such, she is no longer eligible to represent the city on the Commission. A resolution of appreciation for Lisa's 13+ years on the Commission is appropriate!*
- B. Consider Approval to Set May 4 Technical Advisory Committee Meeting and Assign Liaison - **ACTION ITEM no attachment** – *The TAC should meet to continue discussions on the XP-SWMM model results and to develop recommendations on related policies for the Commission's consideration. The Commission should appoint a liaison to attend this meeting.*
- C. Consider Approval of Golden Valley 2017 Pavement Management Plan and Request for Temporary Variance - **ACTION ITEM with attachment** – *The proposed project includes reconstruction of several streets in Golden Valley in the Medicine Lake subwatershed; includes 6.33 acres of grading, and a decrease of 0.62 acres of impervious surface. The project will reduce stormwater volumes and rates but will not fully meet the Commission's MIDS requirements for linear projects. The City proposes to provide equivalent offsite treatment to meet the MIDS for the project by the end of 2018. The City requests a variance from the MIDS performance goal. Staff recommends conditional approval of the project (with comments in the attached memo) and recommends granting a temporary variance for the project by resolution (attached). In March 2016, the Commission granted a similar variance to Golden Valley. Background materials regarding that action are included online.*
- D. Consider Golden Valley Request to Transfer CIP Funds from 2013 Lakeview Park Pond Project to Project to Purchase of Flood Prone Properties - **ACTION ITEM with attachment** - *The City of Golden Valley requests the use of \$184,410.50 of CIP funds previously slated for the 2013 Lakeview Park Pond Project to purchase three of four flood-prone homes near Lakeview Park in order to reduce flood damages and make space for a water quality improvement project. Please see the attached memo.*
- E. Consider Commission Engineer Recommendations on BCWMC Performance Standards for Linear Projects - **ACTION ITEM with attachment** – *At their meeting in January, the Commission considered a [recommendation from the TAC](#) to revise its performance standards for linear projects. The Commission Engineer was directed to consider the issue and develop a recommendation for the Commission. Attached please find the Commission Engineer's recommendation to implement a cost cap for stormwater treatment in linear projects and to further research appropriate cost cap levels and formulas.*
- F. Consider Technical Advisory Committee Recommendations - **ACTION ITEM with attachments** - *The TAC met on February 3rd and March 2nd to discuss a variety of topics and forwards recommendations on a request from the City of New Hope for use of Channel Maintenance Funds and the 5-year CIP list.*
- i. Channel Maintenance Funds and Request from City of New Hope – **see attachment**
 - ii. 5-year CIP List and Project Fact Sheets – **see attachment**
 - iii. Update on Discussions of XP-SWMM Model

- G. Consider Adding Sediment Monitoring to Sweeney Lake Aeration Study - **ACTION ITEM with attachment** – *Staff recommends the addition of sediment monitoring in Sweeney Lake to better inform the Sweeney Lake Aeration Study and potential future improvement options. The \$3,000 needed for the additional monitoring could come from the Commission’s “Surveys and Studies” budget line.*
- H. Consider Directing Staff to Begin Minor Plan Amendment Process for CIP Projects - **ACTION ITEM no attachment** – *If the Commission takes action approving either Golden Valley’s request to transfer CIP funds from the Lakeview Park Pond project to a project to purchase flood-prone homes (Item 5D) and/or the 5-year CIP recommended by the TAC (Item 5F), the BCWMC Watershed Plan will need to be updated through a minor plan amendment process.*
- I. Consider Education Committee Recommendations on 2017 Education Budget and Work Plan - **ACTION ITEM with attachment** – *The Education Committee met on March 6th to discuss the budget and work plan for 2017. The Committee recommends expenditures shown in the attached table and will further discuss additional programs or projects for the remaining unallocated \$5,327. The recommendation includes approval to reimburse Commissioners, CAMP volunteers and leaders of lake groups (three of which have already expressed interest) for the \$175 registration fee to attend a DNR AIS Detection training and certification course (see course materials online).*

6. COMMUNICATIONS

- A. Administrator’s Report - **INFORMATION ITEM with attachment**
 - i. Volunteers Needed for Upcoming Events
 - ii. Update on Agora Development
- B. Chair
- C. Commissioners
- D. TAC Members
- E. Committees
- F. Legal Counsel
- G. Engineer

7. INFORMATION ONLY (Information online only)

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- BCWMC TAC Meeting: Thursday May 4th, 1:30 – 3:30 p.m., Council Conference Room, Golden Valley City Hall



Bassett Creek Watershed Management Commission

DRAFT Minutes of Regular Meeting
Thursday February 16, 2017
8:30 a.m.
Golden Valley City Hall, Golden Valley MN

Commissioners and city staff present:

City	Commissioner	Alternate Commissioner	Technical Advisory Committee Members (City Staff)
Crystal	<i>Absent</i>	NA	
Golden Valley	Stacy Harwell, Secretary/Treasurer	Jane McDonald Black	Jeff Oliver
Medicine Lake	<i>Absent</i>	Gary Holter	Susan Wiese
Minneapolis	Michael Welch	<i>Absent</i>	Liz Stout
Minnetonka	Mike Fruen	<i>Absent</i>	Tom Dietrich
New Hope	<i>Absent</i>	Pat Crough	Chris Long
Plymouth	Jim Prom	John Byrnes	Derek Asche
St. Louis Park	Jim de Lambert	Patrick Noon	Erick Francis
Robbinsdale	<i>Absent</i>	Wayne Sicora	

Staff and Others Present:

Administrator	Laura Jester, Keystone Waters
Engineer	Karen Chandler and Meg Rattei, Barr Engineering
Legal Counsel	Troy Gilchrist, Kennedy & Graven
Presenters/ Guests/Public	Nathan Warner, Steve Gebauer, and John Hink (Solution Blue); Niraz Patel (Rock Hill Management); Dawn Pape (Lawn Chair Gardener)

1. CALL TO ORDER AND ROLL CALL

On Thursday February 16, 2017 at 8:35 a.m. in the Council Conference Room at Golden Valley City Hall (7800 Golden Valley Rd.), Chair de Lambert called to order the meeting of the Bassett Creek Watershed Management Commission (BCWMC) and asked for roll call to be taken. The city of Crystal was absent from the roll call.

2. CITIZEN FORUM ON NON-AGENDA ITEMS

No comments from citizens.

3. APPROVAL OF AGENDA

Administrator Jester requested the addition of item 6Aiii – Consider Agreement with City of Plymouth Regarding Agora Development Project.

MOTION: Commissioner Welch moved to approve the agenda as amended. Commissioner Prom seconded the motion. Upon a vote, the motion carried 8-0. [City of Crystal was absent from the vote.]

4. CONSENT AGENDA

MOTION: Commissioner Prom moved to approve the consent agenda. Alt. Commissioner Holter seconded the motion. Upon a vote, the motion carried 8-0. [City of Crystal was absent from the vote.]

The following items were approved as part of the consent agenda: the January 19, 2017 Commission Meeting Minutes, the February 2017 Financial Report, the payment of invoices, resolution 17-03 designating depositories for BCWMC funds; designation of *Finance and Commerce* of the official new publication of the BCWMC; reimbursement to the City of New Hope for Northwood Lake Improvement Project Expenses; contract with HDR, Inc. for website hosting and assistance; French Regional Park Street Improvement Project; contract with Wenck Associates for 2017 lake monitoring; and setting a March 2nd Technical Advisory Committee meeting.

The general and construction account balances reported in the February 2017 Financial Report are as follows:

Checking Account Balance	\$568,263.42
TOTAL GENERAL FUND BALANCE	\$568,263.42
TOTAL CASH & INVESTMENTS ON-HAND (2/8/17)	\$2,206,833.18
CIP Projects Levied – Budget Remaining	(\$2,768,007.26)
Closed Projects Remaining Balance	(\$561,174.08)
2011-2015 Anticipated Tax Levy Revenue	\$11,653.66
2016 Anticipated Tax Levy Revenue	\$11,043.54
Anticipated Closed Project Balance	(\$538,476.88)

5. ORGANIZATIONAL MEETING**A. Introduce New Commissioners**

Chair de Lambert introduced Jim Prom, the new primary Commissioner representing the City of Plymouth, John Byrnes, the new Alternate Commissioner representing the City of Plymouth, and noted that Wayne Sicora was in

attendance representing the City of Robbinsdale, now as the Alternate Commissioner.

B. Elect Officers

Administrator Jester noted that although they are absent from the meeting, Commissioner Mueller had expressed interest in remaining as vice chair and Commissioner Scanlan had expressed interest in holding either the secretary or vice chair positions. Chair de Lambert reported he was willing to remain as chair but noted that if any other commissioners wanted the chair position, he was also willing to step down.

MOTION: Commissioner Welch moved to elect the following slate of officers: Commissioner de Lambert as chair, Commissioner Mueller as vice chair, Commissioner Scanlan as secretary, and Commissioner Harwell as treasurer. Alt. Commissioner Holter seconded the motion. Upon a vote the motion was carried 8-0. [City of Crystal was absent from the vote.]

C. Review 2017 Commission Calendar and Areas of Work

Administrator Jester reviewed the Commission's meeting calendar including business and actions that will come before the Commission throughout the year. She noted that this was not an exhaustive list, but rather a list of known business for the Commission. She also noted the various contracts the Commission has with contractors and others and she reviewed the Commission committees and their areas of work. Commissioner Welch noted that the timing of Commission business should be such that the Commission has more than one meeting to consider complicated items and asked staff to avoid bringing items to the Commission that need action at that same meeting. Commissioner Welch also noted that the 2018 Commission calendar should include a review of implementation of the 2015 Watershed Management Plan.

D. Appoint Committee Members

Chair de Lambert noted that committees perform important work for the Commission and encouraged Commissioners, Alternate Commissioners and others to be active on committees. Administrator Jester briefly reviewed the work and meeting schedule of the various committees including the Administrative Services Committee, Budget Committee, Education Committee, and the Aquatic Plant Management/Aquatic Invasive Species Committee. She also noted that there should be a liaison at the Technical Advisory Committee (TAC) meetings. The following commissioners volunteered for the following committees:

Administrative Services Committee: Commissioners Mueller, Prom, de Lambert, Harwell and Alternate Commissioner Crough.

Budget Committee: Commissioners Mueller, de Lambert, Prom, and Alternate Commissioner McDonald Black

Education Committee: Commissioner Scanlan and Alternate Commissioners Holter, Byrnes, and Noon

Aquatic Plant Management/Aquatic Invasive Species Committee: Commissioners Prom, Harwell, and Welch; Alternate Commissioners Holter, Byrnes, and McDonald Black; TAC members Tom Hoffman and Derek Asche

As for a commissioner liaison to the TAC meetings, a commissioner/alternate commissioner will be appointed when the TAC meeting is set. Commissioner Harwell indicated she would like to attend when possible. Commissioners agreed it is important to have commissioners represented at all TAC meetings.

MOTION: Commissioner Prom moved to approve the entire slate of committee members as shown above. Commissioner Welch seconded the motion. Upon a vote the motion carried 8-0. [City of Crystal was absent from the vote.]

E. Consider Approval of January Administrator Invoice

Administrator Jester reported that per her contract that expired at the end of January, she was limited to invoicing the Commission a total of \$5,150 per month. She noted that in months where she worked more than that amount, as was the case in January, she would carry over exceedances to a future month. However, she noted that because the end of January was the end of the Commission's fiscal year, she didn't think it was appropriate to carry over

exceedances to a future invoice and that payment of the invoice does not result in the Administrator's budget line being over budget. She noted that her current contract now has an annual not-to-exceed amount rather than a monthly limit.

MOTION: Commissioner Welch moved to approve payment of the Administrator's January invoice. Commissioner Prom seconded the motion. Upon a vote the motion carried 8-0. [City of Crystal was absent from the vote.]

F. Review and Consider Approval of Year End Financial Report

Administrator Jester reviewed the year-end financial statement of the Commission, noting that although some items were over budget, other items were under budget. She noted that although the budget appears to have a deficit of more than \$18,500, there was over \$41,000 of unbudgeted revenue due to the Met Council grant for the Harrison Neighborhood Project, and income from Met Council as reimbursement for Commission work on the SWLRT and Blue Line LRT. Consequently, the Commission ended the year with a \$22,725 surplus. Commission Engineer Chandler noted that it's difficult to predict and the Commission has no control over the number and complexity of development reviews. There was some discussion and question about whether or not the Commission's review fees are adequate to cover costs. Staff was directed to review the fee structure and make a report at a future meeting. Commissioner Harwell volunteered to help make the website and instructions for developers easy to understand in the hopes of minimizing pre-submittal discussions with developers.

MOTION: Commissioner Welch moved to accept the year-end financial statement and pay the invoices. Commissioner Prom seconded the motion. Upon a vote the motion carried 8-0. [City of Crystal was absent from the vote.]

G. Review Open Meeting Law

Legal Counsel Gilchrist briefly reviewed the open meeting law provisions and reminded commissioners not to "reply all" on emails in order to avoid a substantive discussion outside of a public meeting. Commissioner Prom asked to be blind copied on emails to the whole commission.

6. BUSINESS

A. Agora Development

i. Consider Approval of Development Plans

Commission Engineer Chandler reviewed the Agora project review memo, beginning with an overview of previous Commission action. She noted this review summary addresses the development requirements on the Agora development site only, not the wetland restoration planned for on the city parcel south of the Agora site and part of the CIP project. She reported the Agora project includes full demolition and reconstruction of the Four Seasons Mall site and that redevelopment will include nine (9) individual buildings, parking, drives, stormwater features, etc. She reported the proposed project includes approximately 17.1 acres of grading and results in an increase of impervious surface by 0.13 acres. She noted that although staff has multiple recommendations and needs further information for some project components, she feels comfortable with the plans and recommends conditional approval with comments in the attached engineer's memo.

Engineer Chandler noted there are several stormwater management practices within the development including infiltration, filtration basins, stormwater pond, wetland walk, and permeable pavers. She reported that the stormwater pond on the south end of the site includes an iron-enhanced bench and meets all of the pollutant removal required for the Agora development and that other BMPs go "above and beyond" pollutant removal requirements. She reported that the developer was given the new XP-SWMM model for use in hydrologic modeling and informed about the higher flood elevations resulting from the model. She also reported that the developer used "flexible treatment option #2" within the MIDS flowchart because soil conditions wouldn't allow enough infiltration.

Noting that there were numerous concerns with the development, the Commission Engineer walked through the comments and conditions in the engineer's memo. She indicated that she felt comfortable with the

design because despite the numerous comments, it was nearly fully designed. She noted that the Commission could require that revised plans come to a future Commission meeting or could be approved administratively once all conditions are met. Administrator Jester noted that the agreement with Rock Hill Management to receive CIP funding was predicated on complete design plans for the Agora development and the wetland restoration project that show at least 100 pounds of phosphorus will be removed "above and beyond" the 14.88 pounds of phosphorus removal required for the Agora development.

There was discussion about the importance of on-going maintenance. Commissioner Welch noted that the requirement for only 10 years of maintenance in the draft agreement between the Commission and Rock Hill Management is too low. Mr. Asche with the City of Plymouth noted that maintenance enforcement is the responsibility of the city and that maintenance on the property into perpetuity will be stipulated in the developer's agreement and recorded with the County to follow land ownership. Mr. Asche also reported that a detailed operations and maintenance manual will be needed from the developer due to non-typical practices being used. Further, Mr. Asche noted that on-going maintenance of the wetland restoration portion of the project would be carried out by the city, typical to other Commission CIP projects.

Commissioner Welch requested the addition of a condition requiring the Commission Engineer to receive a copy of any DNR permits issued for the project.

There was discussion about the importance of an appropriate chloride management plan and when that plan should be submitted. There was also discussion regarding wetland buffers and the wetland restoration project (which is being considered through the CIP process and is not part of the Agora development plans). Mr. Hink with Solution Blue reported that the wetland restoration plans are approximately 80% complete and that buffer requirements will be followed. There were further assurances from the Commission Engineer that the plans submitted were very close to being 90% complete. She indicated that if significant concerns arose she would bring the plans back to the Commission.

Although it was agreed the submission of a chloride management plan should not hold up the approval of the development plans, Commissioner Harwell requested that a condition for approval be added indicating that the developer is strongly encouraged to develop a chloride management plan.

MOTION: Commissioner Welch moved to approve the Agora development with conditions as presented in the Commission Engineer's memo and with the added condition of strongly recommending development of a chloride management plan and the added condition that the Commission Engineer receive a copy of any DNR permits issued for the project and that there is documented ownership of the property by the developer. Commissioner Prom seconded the motion. Upon a vote the motion carried 8-0. [City of Crystal was absent from the vote.]

ii. Consider Agreement with Rock Hill Management

Commission Legal Counsel Gilchrist walked through several provisions of the agreement and noted that it had been through several iterations. He noted that a separate agreement was developed with the City of Plymouth to ensure development of the wetland restoration piece of the CIP project (see item 6Aiii below).

MOTION: Commissioner Welch moved to approve the execution of a final agreement with Rock Hill Management with three provisions: 1) that the agreement secure permanent maintenance of the stormwater best management practices on the Agora development and the wetland restoration project; 2) that the plans and specifications in Exhibit C be at the 90% level and submitted to the Commission Engineer; and 3) that the Commission Legal Counsel and Administrator consider comments from himself prior to finalization of the agreement. Alternate Commissioner Sicora seconded the motion.

There was discussion on the motion: Commission staff noted that the condition requiring 90% plans for both the Agora development and the wetland restoration piece is likely to hold up execution of the agreement. It was reiterated that the reimbursement of CIP funds is contingent on the final plans showing removal of 100

pounds of phosphorus above and beyond the required pollutant removals for the site. Staff with Rock Hill Management noted that the signed agreement is crucial to the complex financing for the land purchase and development which has a closing date slated within the next few days. Staff with Solution Blue noted that the wetland restoration plans are nearing completion. Chair de Lambert noted that he was in meeting where the wetland restoration concept plans were presented and that he feels comfortable with the overall concept. Engineer Chandler noted that the Commission will still see the plans for the wetland restoration project just as 90% plans are presented for any other CIP project.

Commission Welch withdrew his second provision from his motion, Alternate Commissioner Sicora agreed with the change. Upon a vote the motion carried 8-0. [City of Crystal was absent from the vote.]

iii. Consider Agreement with City of Plymouth

Administrator Jester noted the draft agreement emailed to Commissioners earlier in the week was still considered draft and had not yet been reviewed by the City of Plymouth. Commission Legal Counsel Gilchrist reported that the major provisions of the agreement with Plymouth include allowing the Agora development a construction easement to the wetland site to construct the wetland restoration project; to allow Commission staff access for inspections; and requires the city to provide ongoing maintenance of the wetland restoration project.

MOTION: Commissioner Welch moved to approve the agreement with the City of Plymouth with the above provisions and an additional provision requiring that the City of Plymouth require ongoing maintenance of the stormwater best management practices on the Agora development site; and authorization for the Chair and the Secretary to execute such an agreement once it is in final form as approved by the Commission's Attorney and the City of Plymouth. Commissioner Harwell seconded the motion. Upon a vote the motion carried 8-0. City of Crystal was absent from the vote.]

[Commissioner Welch departs the meeting.]

B. Receive Presentation on 2016 Water Quality Monitoring Results

Commission Engineer Chandler introduced Meg Rattei with Barr Engineering who has been collecting and analyzing water quality data for the Commission for decades. Ms. Rattei gave a brief presentation on the 2016 monitoring results from Medicine Lake, Crane Lake and Northwood Lake. She reported that Medicine Lake does not meet water quality standards and that oxygen levels at the lake's bottom are very low which allows for the release of phosphorus from the sediment.

[Commissioner Harwell departs the meeting. Alt. Commissioner McDonald Black assumes Golden Valley representation.]

Ms. Rattei reported that Medicine Lake met the standard for chlorides, has a history of problems with high amounts of curlyleaf pondweed, and would not meet a standard for biological integrity.

Ms. Rattei reported that Crane Lake generally meets water quality standards although chloride levels are increasing and are well above the average chloride levels found in other Metro lakes. She also noted that zooplankton levels are declining, likely due to increasing chlorides.

Ms. Rattei reported that Northwood Lake does not meet water quality standards for total phosphorus, sometimes meets the standard for chlorophyll, and that its water clarity is declining at a statistically significant rate. She noted the lake did not meet chloride standards in April but that the aquatic plant community appears to be improving.

Administrator Jester noted the new water quality report format, developed by Barr Engineering. She indicated the new reports include easy to read graphs, and uses photos and language for a lay person.

C. Consider Recommendation from Aquatic Plant Management/Aquatic Invasive Species Committee

Administrator Jester reported that although there is still some work needed by the APM/AIS committee to refine and prioritize their complete recommendations for the Commission, at this time the committee recommends that the Commission partner with the City of Plymouth and Three Rivers Park District to perform herbicide treatments of curlyleaf pondweed (CLP) in Medicine Lake in 2017 and that the Commission contribute up to \$20,750 (not to exceed amount) from its APM/AIS Budget for the treatment. She noted that the committee felt comfortable with this recommendation because Medicine Lake has an approved total maximum daily load study identifying curlyleaf pondweed control as a phosphorus-reducing activity, and that the Commission has funding partners for the treatment. She noted the committee does not recommend that the Commission treat curlyleaf pondweed in lakes without an approved management plan or without funding partners.

MOTION: Commissioner Prom moved approval for the Commission to partner with the City of Plymouth and Three Rivers Park District to perform herbicide treatments of curlyleaf pondweed in Medicine Lake in 2017 and that the Commission contribute up to \$20,750 from its APM/AIS Budget for the treatment. Alternate Commissioner McDonald Black seconded the motion. Upon a vote the motion carried 7-0. [Cities of Crystal and Minneapolis were absent from the vote.]

D. Receive Presentation of New Educational Displays

Administrator Jester introduced Dawn Pape and reminded Commissioners that at their meeting last July, the Commission entered into an agreement with Ms. Pape to develop new educational display materials for the Commission's use. Ms. Pape briefly described and presented some of the new materials and noted more were available to view outside the meeting room. Administrator Jester noted the new materials would be used for the upcoming Plymouth Home Expo.

E. Consider Contract with Dawn Pape for Administrative Services

Administrator Jester recommended that the Commission continue to partner with Dawn Pape on a variety of tasks that were previously performed by the Recording Secretary, Amy Herbert. She noted the agreement for administrative services, including taking meeting minutes, was reviewed by the Commission's Legal Counsel and would be funded through the Administrative Services budget line item.

MOTION: Commissioner Prom moved approval of the agreement with Dawn Pape for administrative services. Alternate Commissioner Sicora seconded the motion. Upon a vote the motion carried 7-0. [Cities of Crystal and Minneapolis were absent from the vote.]

F. Review Letters of Interest Proposals for Legal and Technical Services

Administrator Jester reported that in December, the Commission submitted a solicitation for proposals for legal and technical engineering services to comply with State Law. She reported the Commission received one proposal (from Kennedy Graven) for legal services and four proposals for engineering services from Barr Engineering, Northern Technologies LLC, Rani Engineering, and Cardno.

MOTION: Alternate Commissioner McDonald Black moved that the Commission continue contracting with Kennedy Graven for legal services and Barr Engineering for technical engineering services. Alternate Commissioner Sicora seconded the motion. Upon a vote the motion carried 7-0. [Cities of Crystal and Minneapolis were absent from the vote.]

7. COMMUNICATIONS

A. Administrator's Report

Administrator Jester reported that the Road Salt Symposium provided good information on new technologies and she was glad she attended. She reported that only watershed districts and not watershed management organizations could opt to enforce the new state buffer law so the Commission had no decision to make in that regard. She also noted that Commissioners should watch for an email seeking volunteers for the Plymouth Home Expo and that she and Chris Long with the City of New Hope would be meeting with a BWSR representative for a reconciliation of the Northwood Lake Improvement Project Clean Water Fund grant.

B. Chair

Chair de Lambert reported that he took a new job with consulting firm Carlson McCain.

C. Commissioners

No report.

D. TAC Members

No report.

E. Committees

No report.

F. Legal Counsel

No report.

G. Engineer

Commission Engineer Chandler reported that the Sweeney Lake aeration study is likely to get underway as soon as ice is off the lake and that Sweeney Lake Association members seem supportive of turning off the aerators for the study. She also noted the public open house scheduled for that evening on the Bassett Creek Park Pond and Winnetka Pond Dredging Project and indicated a draft feasibility report would be presented at the April Commission meeting.

8. INFORMATION ONLY (Available at <http://www.bassettcreekwmo.org/document/meeting-materials-minu/meeting-materials/thursday-february-16-2017>)

A. CIP Project Updates: Now Available Online <http://www.bassettcreekwmo.org/projects>

B. Grant Tracking Summary and Spreadsheet

C. Northwood Lake Improvement Project Grant Reports (2)

D. WMWA Winter Newsletter

E. WCA Notices of Decision, Plymouth

F. WCA Notice of Conditional Approval, Plymouth

9. ADJOURNMENT – Chair de Lambert adjourned the meeting at 11:27 a.m.

Signature/Title

Date

Signature/Title

Date

Bassett Creek Watershed Management Commission General Account
General Fund (Administration) Financial Report
Fiscal Year: February 1, 2017 through January 31, 2018
MEETING DATE: March 16, 2017

Item 4B.
BCWMC 3-16-17

(UNAUDITED)

BEGINNING BALANCE	8-Feb-17		568,263.42
ADD:			
General Fund Revenue:			
Interest less Bank Fees		(21.53)	
Assessments:			
Minnetonka		28,199.00	
Plymouth		224,531.00	
Met Council - WOMP Grant		4,500.00	
Met Council - SG-05827 #1 - Metro Blooms		17,272.51	
Permits:			
Henn County	BCWMC 2016-32	1,100.00	
	Check Returned	(1,100.00)	
Henn County	BCWMC 2016-32	1,100.00	
	Check Returned	(1,100.00)	
S E H	BCWMC 2017-02	1,100.00	
Reimbursed Construction Costs		9,063.77	
	Total Revenue and Transfers In		284,644.75
DEDUCT:			
Checks:			
Wells Fargo	Deposit Tickets	40.76	
2943 Barr Engineering	February Engineering	39,083.43	
2944 Keystone Waters LLC	Feb Admin/Mtg Materials	6,008.30	
2945 Lawn Chair Gardener	Newsletter/Facebook	302.47	
2946 Tripple D Espresso	Mar Meeting	103.98	
2947 Wenck Associates	Outlet Monitoring	484.33	
2948 MMKR	Audit-Progress Billing	1,400.00	
2909 Henn County	VOID -	(2,000.00)	
2949 Henn County	Replace ck 2909-Riverwat	2,000.00	
	Total Checks/Deductions		47,423.27
Outstanding from previous month:			
2937 Wenck	Outlet Monitoring	831.60	
2941 Michael Scanlan	Road Salt Symposium	135.00	
2942 Jim Prom	Road Salt Symposium	135.00	
ENDING BALANCE	8-Mar-17		805,484.90

Bassett Creek Watershed Management Commission General Account
General Fund (Administration) Financial Report
Fiscal Year: February 1, 2017 through January 31, 2018
MEETING DATE: March 16, 2017

(UNAUDITED)

	2017 / 2018 BUDGET	CURRENT MONTH	YTD 2017 / 2018	BALANCE
<u>OTHER GENERAL FUND REVENUE</u>				
ASSESSMENTS TO CITIES	500,000	252,730.00	476,977.00	23,023.00
PROJECT REVIEW FEES	60,000	1,100.00	3,900.00	56,100.00
WOMP REIMBURSEMENT	5,000	4,500.00	4,500.00	500.00
MET COUNCIL REIMBURSEMENTS-LRT PROJECTS	7,000	0.00	0.00	7,000.00
MET COUNCIL - METRO BLOOMS	0	17,272.51	17,272.51	(17,272.51)
TRANSFERS FROM LONG TERM FUND & CIP	38,072	0.00	0.00	38,072.00
REVENUE TOTAL	610,072	275,602.51	502,649.51	107,422.49
<u>EXPENDITURES</u>				
ENGINEERING & MONITORING				
TECHNICAL SERVICES	125,000	7,381.50	7,381.50	117,618.50
DEV/PROJECT REVIEWS	65,000	9,424.38	9,424.38	55,575.62
NON-FEE/PRELIM REVIEWS	15,000	1,950.05	1,950.05	13,049.95
COMMISSION AND TAC MEETINGS	14,000	1,542.00	1,542.00	12,458.00
SURVEYS & STUDIES	20,000	0.00	0.00	20,000.00
WATER QUALITY/MONITORING	74,300	9,263.37	9,263.37	65,036.63
WATER QUANTITY	11,500	458.36	458.36	11,041.64
WATERSHED INSPECTIONS -EROSION CONTROL	1,000	0.00	0.00	1,000.00
ANNUAL FLOOD CONTROL INSPECTIONS	12,000	0.00	0.00	12,000.00
REVIEW MUNICIPAL PLANS	8,000	0.00	0.00	8,000.00
WOMP	15,500	484.33	484.33	15,015.67
XP-SWMM MODEL UPDATES/REVIEWS	10,000	0.00	0.00	10,000.00
APM / AIS WORK	35,000	0.00	0.00	35,000.00
ENGINEERING & MONITORING TOTAL	406,300	30,503.99	30,503.99	375,796.01
ADMINISTRATION				
ADMINISTRATOR	67,200	5,642.50	5,642.50	61,557.50
LEGAL COSTS	18,500	0.00	0.00	18,500.00
AUDIT, INSURANCE & BONDING	15,500	1,400.00	1,500.00	14,000.00
FINANCIAL MANAGEMENT	3,200	40.76	40.76	3,159.24
MEETING EXPENSES	2,000	103.98	207.96	1,792.04
ADMINISTRATIVE SERVICES	18,000	668.27	668.27	17,331.73
ADMINISTRATION TOTAL	124,400	7,855.51	8,059.49	116,340.51
OUTREACH & EDUCATION				
PUBLICATIONS/ANNUAL REPORT	2,500	0.00	0.00	2,500.00
WEBSITE	4,400	0.00	0.00	4,400.00
PUBLIC COMMUNICATIONS	2,500	0.00	0.00	2,500.00
EDUCATION AND PUBLIC OUTREACH	20,000	0.00	9,750.00	10,250.00
WATERSHED EDUCATION PARTNERSHIPS	15,500	0.00	0.00	15,500.00
OUTREACH & EDUCATION TOTAL	44,900	0.00	9,750.00	35,150.00
MAINTENANCE FUNDS				
EROSION/SEDIMENT (CHANNEL MAINT)	25,000	0.00	0.00	25,000.00
LONG TERM MAINTENANCE (moved to CF)	25,000	0.00	0.00	25,000.00
MAINTENANCE FUNDS TOTAL	50,000	0.00	0.00	50,000.00
TMDL WORK				
TMDL IMPLEMENTATION REPORTING	20,000	0.00	0.00	20,000.00
TMDL WORK TOTAL	20,000	0.00	0.00	20,000.00
TOTAL EXPENSES	645,600	38,359.50	48,313.48	597,286.52

BCWMC Construction Account
Fiscal Year: February 1, 2017 through January 31, 2018
March 2017 Financial Report

(UNAUDITED)

Cash Balance 02/08/17				
Cash		1,214,833.18		
	Total Cash		1,214,833.18	
Ally Bk Midvale Utah C/D (9/25/2017 1.25%)		248,000.00		
Capital One Bk-McLean VA C/D (9/25/2017 1.15%)		248,000.00		
Capital One Bk-Glen Allen VA C/D (9/25/2017 1.15%)		248,000.00		
Key Bk Natl Assn Ohio C/D (10/02/2017 1.15%)		248,000.00		
	Total Investments		992,000.00	
	Total Cash & Investments			2,206,833.18
Add:				
Interest Revenue (Bank Charges)		(87.87)		
State of MN #3 Clean Water Grant #93185		175,067.20		
	Total Revenue			174,979.33
Less:				
CIP Projects Levied - Current Expenses - TABLE A		(1,743.00)		
Proposed & Future CIP Projects to Be Levied - Current Expenses - TABLE B		(5,451.27)		
	Total Current Expenses			(7,194.27)
	Total Cash & Investments On Hand	03/08/17		2,374,618.24
Total Cash & Investments On Hand		2,374,618.24		
CIP Projects Levied - Budget Remaining - TABLE A		(2,749,156.26)		
Closed Projects Remaining Balance		(374,538.02)		
2011 - 2015 Anticipated Tax Levy Revenue - TABLE C		4,509.13		
2016 Anticipated Tax Levy Revenue - TABLE C		4,967.63		
Anticipated Closed Project Balance		(365,061.26)		
Proposed & Future CIP Project Amount to be Levied - TABLE B		1,928,045.00		

TABLE A - CIP PROJECTS LEVIED

	Approved Budget	Current Expenses	2017 YTD Expenses	INCEPTION To Date Expenses	Remaining Budget	Grant Funds Received
Lakeview Park Pond (ML-8) (2013)	196,000	0.00	0.00	11,589.50	184,410.50	
Four Seasons Mall Area Water Quality Proj (NL-2)	990,000	1,458.00	1,458.00	143,309.84	846,690.16	
2014						
Schaper Pond Enhance Feasibility/Project (SL-1)(SL-3)	612,000	155.00	155.00	303,418.45	308,581.55	
Briarwood / Dawnview Nature Area (BC-7)	250,000	0.00	0.00	250,000.00	0.00	
Twin Lake Alum Treatment Project (TW-2)	163,000	0.00	0.00	91,037.82	71,962.18	
2015						
Main Stem 10th to Duluth (CR2015)	1,503,000	0.00	0.00	946,447.15	556,552.85	
2016						
Honeywell Pond Expansion (BC-4) ¹	810,930	0.00	0.00	25,307.00	785,623.00	
Northwood Lake Pond (NL-1) ²	822,140					
Budget Amendment	611,600	1,433,740	130.00	1,438,403.98	(4,663.98)	470,000.00
		5,958,670	1,743.00	1,743.00	3,209,513.74	2,749,156.26

TABLE B - PROPOSED & FUTURE CIP PROJECTS TO BE LEVIED

			Approved Budget - To Be Levied	Current Expenses	2017 YTD Expenses	INCEPTION To Date Expenses	Remaining Budget
2017							
Main Stem Cedar Lk Rd-Dupont (2017CR-M)	2017 Levy	580,930	863,573	51.00	51.00	114,612.79	748,960.21
	2018 Levy	282,643					
Plymouth Creek Restoration (CR-P)	2017 Levy	400,000	1,064,472	552.00	552.00	66,156.13	998,315.87
	2018 Levy	664,472					
2017 Project Totals			1,928,045	603.00	603.00	180,768.92	1,747,276.08
2018							
Bassett Creek Park & Winnetka Ponds Dredging (BCP-2)				4,848.27	4,848.27	36,167.32	(36,167.32)
2018 Project Totals			0	4,848.27	4,848.27	36,167.32	(36,167.32)
2019							
Bryn Mawr Meadows (BC-5)			0	0.00	0.00	5,282.80	(5,282.80)
2019 Project Totals			0	0.00	0.00	5,282.80	(5,282.80)
Total Proposed & Future CIP Projects to be Levied			1,928,045	5,451.27	5,451.27	222,219.04	1,705,825.96

BCWMC Construction Account

Fiscal Year: February 1, 2017 through January 31, 2018

(UNAUDITED)

March 2017 Financial Report

TABLE C - TAX LEVY REVENUES

	County Levy	Abatements / Adjustments	Adjusted Levy	Current Received	Year to Date Received	Inception to Date Received	Balance to be Collected	BCWMO Levy
2017 Tax Levy	1,303,600.00		1,303,600.00	0.00			1,303,600.00	1,303,600.00
2016 Tax Levy	1,222,000.00	(6,075.91)	1,215,924.09	0.00		1,210,956.46	4,967.63	1,222,000.00
2015 Tax Levy	1,000,000.00	1,935.37	1,001,935.37	0.00		1,000,037.76	1,897.61	1,000,000.00
2014 Tax Levy	895,000.00	(7,436.49)	887,563.51	0.00		886,182.01	1,381.50	895,000.00
2013 Tax Levy	986,000.00	(10,440.29)	975,559.71	0.00		974,717.80	841.91	986,000.00
2012 Tax Levy	762,010.00	(7,488.24)	754,521.76	0.00		754,133.65	388.11	762,010.00
				<u>0.00</u>			<u>9,476.76</u>	

OTHER PROJECTS:

	Approved Budget	Current Expenses / (Revenue)	2017 YTD Expenses / (Revenue)	INCEPTION To Date Expenses / (Revenue)	Remaining Budget
TMDL Studies					
TMDL Studies	135,000.00	0.00	0.00	107,765.15	27,234.85
TOTAL TMDL Studies	135,000.00	0.00	0.00	107,765.15	27,234.85
Flood Control Long-Term					
Flood Control Long-Term Maintenance	673,373.00	1,869.50	1,869.50	307,715.91	
Less: State of MN - DNR Grants				(83,700.00)	
	673,373.00	1,869.50	1,869.50	224,015.91	449,357.09
Annual Flood Control Projects:					
Flood Control Emergency Maintenance	500,000.00	0.00	0.00	0.00	500,000.00
Annual Water Quality					
Channel Maintenance Fund	350,000.00	0.00	0.00	121,242.95	228,757.05
Total Other Projects	1,658,373.00	1,869.50	1,869.50	453,024.01	1,205,348.99

Cash Balance 02/08/17	1,034,855.44
Add:	
Transfer from GF	0.00
Less:	
Current (Expenses)/Revenue	(1,869.50)
Ending Cash Balance 03/08/17	1,032,985.94
Additional Capital Needed	(172,363)

Bassett Creek Construction Project Details

3/9/2017

	CIP Projects Levied										
	Total	2013	2013	2014	2014	2014	2015	2016	2016	2017	2017
	CIP Projects Levied	Lakeview Park Pond (ML-8)	Four Seasons Mall Area Water Quality Project (NL-2)	Schaper Pond Enhancement Feasibility / Project (SL-1) (SL-3)	Briarwood / Dawnview Water Quality Improve Proj (BC-7)	Twin Lake In-Lake Alum Treatment Project (TW-2)	Main Stem - 10th Ave to Duluth (CR2015)	Honeywell Pond Expansion (BC-4)	Northwood Lake Pond (NL-1)	Main Stem-Cedar Lk Rd to Dupont (2017 CR-M)	Plymouth Creek Restoration (2017 CR-P)
Original Budget Added to Budget	7,275,115 611,600	196,000	990,000	612,000	250,000	163,000	1,503,000	810,930	822,140 611,600	863,573	1,064,472
Expenditures:											
Feb 2004 - Jan 2014	269,971.68	11,589.50	101,635.49	89,594.90	19,598.09	23,793.65	11,179.35	7,461.95	5,118.75		
Feb 2015-Jan 2016	313,510.98		25,866.35			432.00	93,862.65	6,442.53	94,823.44	42,671.88	49,412.13
Feb 2016-Jan 2017	2,804,454.00		14,350.00	213,668.55	230,401.91	66,812.17	841,405.15	11,402.52	1,338,331.79	71,889.91	16,192.00
Feb 2017-Jan 2018	2,346.00		1,458.00	155.00					130.00	51.00	552.00
Total Expenditures:	3,390,282.66	11,589.50	143,309.84	303,418.45	250,000.00	91,037.82	946,447.15	25,307.00	1,438,403.98	114,612.79	66,156.13
Project Balance	4,496,432.34	184,410.50	846,690.16	308,581.55		71,962.18	556,552.85	785,623.00	(4,663.98)	748,960.21	998,315.87
	Total	2013	2013	2014	2014	2014	2015	2016	2016	2017	2017
	CIP Projects Levied	Lakeview Park Pond (ML-8)	Four Seasons Mall Area Water Quality Project (NL-2)	Schaper Pond Enhancement Feasibility / Project (SL-1) (SL-3)	Briarwood / Dawnview Water Quality Improve Proj (BC-7)	Twin Lake In-Lake Alum Treatment Project (TW-2)	Main Stem - 10th Ave to Duluth (CR2015)	Honeywell Pond Expansion (BC-4)	Northwood Lake Pond (NL-1)	Main Stem-Cedar Lk Rd to Dupont (2017 CR-M)	Plymouth Creek Restoration (2017 CR-P)
Project Totals By Vendor											
Barr Engineering	379,539.73	6,338.95	44,478.54	75,406.50	13,089.74	15,712.00	15,825.00	13,157.98	17,680.00	111,794.39	66,056.63
Kennedy & Graven	11,902.00	1,200.55	2,471.95	993.40	1,038.35	1,058.65	2,223.75	796.00	1,701.45	318.40	99.50
City of Golden Valley	1,414,281.03			213,668.55	230,401.91	66,812.17	903,398.40				
City of Minneapolis											
City of Plymouth	75,759.35		75,759.35								
City of New Hope	1,413,267.55								1,413,267.55		
MPCA	2,500.00										
Blue Water Science	3,900.00					3,900.00				2,500.00	
S E H											
Misc											
2.5% Admin Transfer	83,378.02	4,050.00	20,600.00	13,350.00	5,470.00	3,555.00	25,000.00	11,353.02			
Transfer to General Fund											
Total Expenditures	3,384,527.68	11,589.50	143,309.84	303,418.45	250,000.00	91,037.82	946,447.15	25,307.00	1,432,649.00	114,612.79	66,156.13
	Total	2013	2013	2014	2014	2014	2015	2016	2016	2017	2017
	CIP Projects Levied	Lakeview Park Pond (ML-8)	Four Seasons Mall Area Water Quality Project (NL-2)	Schaper Pond Enhancement Feasibility / Project (SL-1) (SL-3)	Briarwood / Dawnview Water Quality Improve Proj (BC-7)	Twin Lake In-Lake Alum Treatment Project (TW-2)	Main Stem - 10th Ave to Duluth (CR2015)	Honeywell Pond Expansion (BC-4)	Northwood Lake Pond (NL-1)	Main Stem-Cedar Lk Rd to Dupont (2017 CR-M)	Plymouth Creek Restoration (2017 CR-P)
Levy/Grant Details											
2010 -2014 Levies	1,881,000										
2014/2015 Levy	1,000,000	162,000	824,000	534,000	218,800	142,200	1,000,000				
2015-2016 Levy	1,222,000										
2016-2017 Levy	1,303,600							810,930	411,070 322,670	580,930	400,000
2017-2018 Levy											
Construction Fund Balance	703,000	34,000	166,000				503,000				
BWSR Grant- BCWMO	470,000								470,000		
DNR Grants-LT Maint											
Total Levy/Grants	6,579,600	196,000	990,000	534,000	218,800	142,200	1,503,000	810,930	1,203,740	580,930	400,000
BWSR Grants Received									200,000		
MPCA Grant-CWP (Total \$300,000)									75,000.00		
									19,932.80		

Bassett Creek Construction Project Details

Proposed & Future CIP Projects (to be Levied)				Other Projects					Totals - All Projects		
Original Budget Added to Budget	Total Proposed & Future CIP Projects (to be Levied)	2018 Bassett Cr Pk & Winnetka Ponds Dredging (2018 BCP-2)	2019 Bryn Mawr Meadows	DNR Grant From GF	Total	TMDL Studies	Flood Control Emergency Maint	Flood Control Long- Term Maint		Channel Maint	
					Other Projects						
					1,278,373.00 (250,000.00) 83,700.00 380,000.00	105,000.00 30,000.00	500,000.00 175,000.00	748,373.00 (250,000.00) 83,700.00 175,000.00	175,000.00 175,000.00	8,553,488.00 361,600.00 83,700.00 380,000.00	
Expenditures:											
Feb 2004 - Jan 2014	5,282.80		5,282.80		245,426.23	107,765.15		43,195.48	94,465.60	520,680.71	
Feb 2015-Jan 2016					137,357.54			110,580.19	26,777.35	450,868.52	
Feb 2016-Jan 2017	31,319.05	31,319.05			152,070.74			152,070.74		2,987,843.79	
Feb 2017-Jan 2018	4,848.27	4,848.27			1,869.50			1,869.50		9,063.77	
Total Expenditures:	41,450.12	36,167.32	5,282.80		536,724.01	107,765.15		307,715.91	121,242.95	3,968,456.79	
Project Balance	(41,450.12)	(36,167.32)	(5,282.80)		1,205,348.99	27,234.85	500,000.00	449,357.09	228,757.05	5,660,331.21	
Project Totals By Vendor	Total Proposed & Future CIP Projects (to be Levied)	2018 Bassett Cr Pk & Winnetka Ponds Dredging (2018 BCP-2)	2019 Bryn Mawr Meadows		Total			Flood Control Emergency Maint	Flood Control Long- Term Maint	Channel Maint	Totals - All Projects
					Other Projects	TMDL Studies					
	41,450.12	36,167.32	5,282.80		374,913.00	104,888.70		270,024.30			795,902.85
					2,648.25	1,164.30		1,099.35	384.60		14,550.25
					55,287.50				55,287.50		1,469,568.53
					38,823.35				38,823.35		38,823.35
					26,747.50				26,747.50		102,506.85
											1,413,267.55
											2,500.00
											3,900.00
					5,704.41	1,712.15		3,992.26		5,704.41	
					32,600.00			32,600.00		83,378.02	
Total Expenditures	41,450.12	36,167.32	5,282.80		536,724.01	107,765.15		307,715.91	121,242.95	3,962,701.81	
Levy/Grant Details	Total Proposed & Future CIP Projects (to be Levied)	2018 Bassett Cr Pk & Winnetka Ponds Dredging (2018 BCP-2)	2019 Bryn Mawr Meadows		Total			Flood Control Emergency Maint	Flood Control Long- Term Maint	Channel Maint	Totals - All Projects
					Other Projects	TMDL Studies					
2010 -2014 Levies				2010-2013		30,000		100,000	100,000	1,881,000	
2014/2015 Levy				2014/2015	50,000.00			25,000	25,000	1,050,000	
2015-2016 Levy				2015/2016							
2016-2017 Levy				2016/2017							
2017-2018 Levy				2017/2018							
Construction Fund Balance				2015/2016	50,000.00			25,000	25,000	753,000	
BWSR Grant- BCWMO				2016/2017	50,000.00			25,000	25,000	520,000	
DNR Grants-LT Maint				DNR Grant	83,700.00			83,700			
Total Levy/Grants					463,700.00	30,000		258,700	175,000	4,204,000	

Memorandum

To: Bassett Creek Watershed Management Commission
From: Barr Engineering Co.
Subject: 4D – CenterPoint Energy MBLC Replacement – Golden Valley, MN
BCWMC March 16, 2017 Meeting Agenda
Date: March 8, 2017
Project: 23270051 2017 2110

4D CenterPoint Energy MBLC Replacement –Golden Valley, MN BCWMC 2017-03

Summary:

Proposed Work: Installation of approximately 2,628 feet of 24-inch-diameter natural gas pipeline.

Basis for Commission Review: Work in floodplain; Open trench installation of pipeline requiring disturbance of bed and banks of Bassett Creek

Impervious Surface Area: No change

Recommendation: Conditional Approval

General Background & Comments

The proposed project will involve the installation of approximately 2,628 feet of 24-inch-diameter natural gas pipeline. Project activities will take place within a 45-foot wide corridor. Approximately 250 feet of pipeline will be installed under an existing railroad right-of-way using the auger bore method. The remainder of the pipeline will be installed using the open trench method, including approximately 40 feet of pipeline to be installed under Bassett Creek. The project is located in the Bassett Creek Main Stem subwatershed. The proposed project includes 2.50 acres of grading and will result in no change in impervious surface. Approximately 0.28 acres will be reconstructed as part of the proposed project.

Floodplain

The proposed installation under Bassett Creek is located approximately 200 feet downstream of Golden Valley Road and 400 feet upstream of the confluence with the Sweeney Lake Branch of Bassett Creek. The current Bassett Creek (TP40 precipitation) floodplain elevation is 827.2 feet NGVD29, on the downstream side of Golden Valley Road. The updated, but not yet adopted, XPSWMM floodplain elevation (Atlas 14 precipitation) is 828.1 feet NAVD 88 downstream of Golden Valley Road.

Approximately 225 feet of the project will be located in the Bassett Creek floodplain. CenterPoint Energy is proposing to install temporary dams, designed so the top elevation of the dam will be below the upstream flood elevation, to prevent flooding in the event that an unanticipated significant rain event occurs. Upon completion of construction activities, CenterPoint Energy is proposing to return the project area to preconstruction contours and conditions. The bed and banks of Bassett Creek will be restored in

To: Bassett Creek Watershed Management Commission
From: Barr Engineering Co.
Subject: Item 4D – CenterPoint Energy MBLC Replacement - Golden Valley, MN
Date: March 8, 2017
Project: 23270051 2017 2110
Page: 2

collaboration with the City of Golden Valley, Bassett Creek Watershed Management Commission, and the Minneapolis Parks and Recreation Board. Streambed restoration activities will include the placement of flexible concrete mats to protect the pipeline from scouring and damage. The top of the protective material will be at the same elevation as the former stream bed so there will be no change in the stream bed elevation.

Wetlands

The project appears to involve work adjacent to wetlands. The City of Golden Valley is the LGU for administering the Minnesota Wetland Conservation Act of 1991.

Stormwater Management

The drainage patterns under existing and proposed conditions will remain the same; this project will not result in changes to land use or topography.

Diversion and Dewatering

CenterPoint Energy proposes to cross Bassett Creek using the open trench method. Temporary dams and diversion culverts will likely be installed to redirect surface water around the project area to maintain a dry workspace. Sand bags and/or sheet piling will be utilized to construct the temporary dams upstream and downstream of the project area. The temporary diversion culverts will be installed within the existing creek bed. The final locations for the dams and diversion culverts will be determined at the time of construction. The natural gas pipeline crossing of Bassett Creek is estimated to be completed in 48 hours. Prior to placing the temporary dams in Bassett Creek, the weather forecast will be reviewed to finalize the pipeline installation schedule. This will allow the work to be completed at a time when Bassett Creek should be close to base flow conditions.

Permitting

CenterPoint Energy is in the process of obtaining a Water Appropriation Permit from the Department of Natural Resources, which is anticipated to be received in March 2017. CenterPoint Energy has received notice of coverage from the Minnesota Pollution Control Agency (MPCA) under National Pollutant Discharge Elimination System (NPDES) and State Disposal System (SDS) Permit No. MN 0063649 for discharges. Activities authorized under this permit consist of the discharge of waters used to test the structural integrity of new and existing pipelines; dewatering from trenches when required to remove groundwater, infiltration and/or precipitation runoff hampering construction activities; and stormwater associated with construction activities. This proposed creek crossing work is authorized under Category C of the U.S. Army Corps of Engineers (USACE) Regional General Permit 003-MN. CenterPoint Energy has received a fully executed Utility Crossing License No. UWAT010843 from the Minnesota Department of Natural Resources Division of Lands and Minerals for the crossing of Bassett Creek using the open trench method.

Water Quality Management

The project results in 0.28 acres of fully reconstructed impervious surfaces. Therefore, based on the September 2015 BCWMC Requirements for Improvements and Development Proposals, water quality treatment in accordance with MIDS is not required.

Erosion and Sediment Control

Since the area to be graded is greater than 10,000 square feet, the proposed project must meet the BCWMC erosion control requirements. Proposed temporary erosion control features include erosion control blanket, silt fence, sediment barrier (floating silt curtain), plastic sheeting, mulch logs, storm drain inlet protection, and sediment tracking pads (construction entrances).

Permanent erosion and scour protection features include articulated concrete matting to be placed over the installed pipeline and keyed into the creek banks.

Recommendation

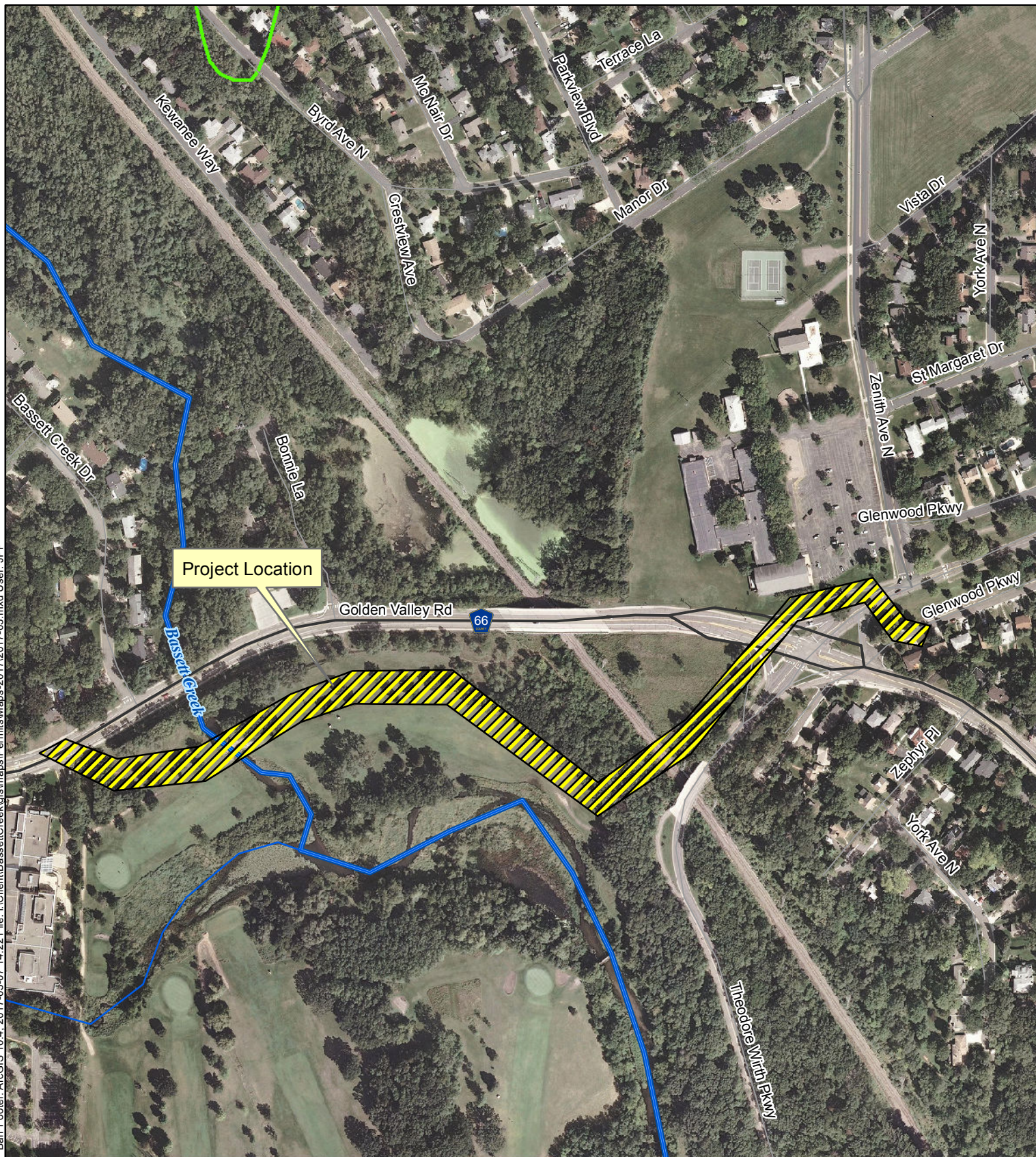
Conditional approval based on the following comments:

1. We recommend the applicant consider directional boring, jacking, or auguring the pipeline at a minimum depth of four (4) feet below the stream bed at the Bassett Creek crossing to avoid disturbing the creek banks and channel.
2. We recommend burying the concrete mat and installing approximately two (2) feet of native streambed material above the concrete mat to maintain the natural channel and minimize scour along the channel banks.
3. Clarify the depth of embedment of the proposed concrete mat keys and provide documentation that the proposed concrete mat is adequately designed for the anticipated flows and velocities of the creek.
4. Erosion and sediment control information must be provided on the plans, including but not limited to:
 - Erosion control blanket locations and installation details.
 - Silt fence location and installation details.
 - Sediment barrier locations and installation details.
 - Mulch log locations and installation details.
 - Storm drain inlet protection locations and installation details.
 - Sediment tracking pad (construction entrance) locations and installation details.
 - Other BMP locations and details.
 - The following erosion and sediment control notes must be added to the plans:
 - i. Require that soils tracked from the site be removed from all paved surfaces within 24 hours of discovery throughout the duration of construction.

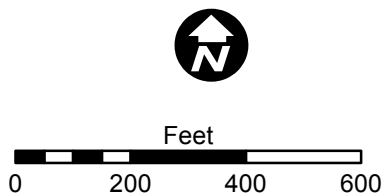
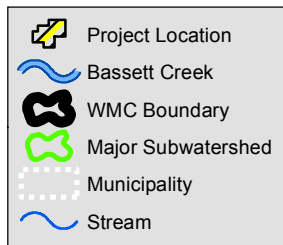
To: Bassett Creek Watershed Management Commission
From: Barr Engineering Co.
Subject: Item 4D – CenterPoint Energy MBLC Replacement - Golden Valley, MN
Date: March 8, 2017
Project: 23270051 2017 2110
Page: 4

- ii. Require that temporary or permanent mulch be uniformly applied by mechanical or hydraulic means and stabilized by disc-anchoring or use hydraulic soil stabilizers.
 - iii. Provide a temporary vegetative cover consisting of a suitable, fast-growing, dense grass seed mix spread at a minimum at the MnDOT-specified rate per acre. If temporary cover is to remain in place beyond the present growing season, two-thirds of the seed mix shall be composed of perennial grasses.
 - iv. Specify a permanent vegetation cover consisting of sod, a suitable grass-seed mixture, or a combination thereof. On slopes greater than or equal to 3 feet horizontal: 1 foot vertical, seeded areas shall be either mulched or covered by fibrous blankets to protect seeds and limit erosion.
- 5. Revised drawings (paper copy and final electronic files) must be provided to the BCWMC Engineer for final review and administrative approval.

Barr Footer: ArcGIS 10.4, 2017-03-07 14:22 File: I:\Client\BassettCreek\GIS\Maps\Permits\Maps-2017\2017-03.mxd User: JPP



Imagery Source: Aerial Express (2009)



LOCATION MAP
APPLICATION 2017-03
CenterPoint Energy MBLC Replacement
Golden Valley, MN

ENVIRONMENTAL RESPONSE FUND GRANT AGREEMENT
BETWEEN THE BASSETT CREEK WATERSHED MANAGEMENT COMMISSION OR AFFILIATED
ENTITY AND HENNEPIN COUNTY ENVIRONMENT AND ENERGY DEPARTMENT

This Agreement is between the County of Hennepin, State of Minnesota ("County") at A2300 Government Center, Minneapolis, MN 55487 by its Environment and Energy Department ("Department") and the Bassett Creek Watershed Management Commission or Affiliated Entity ("Grantee") with offices located at 16145 Hillcrest Lane, Eden Prairie Minnesota, 55346.

Grantee has submitted an application to the County for a grant to be used for assistance for contaminated soil removal and disposal, placement of clean fill, oversight/on-site monitoring and characterization, associated environmental consulting activities, and agency fees at the Bassett Creek Main Stem Erosion Repair project site located along segments of Bassett Creek in Minneapolis. The application is incorporated into this Agreement by reference. The parties agree as follows:

1. GRANT AMOUNT AND COMPLETION

The County shall grant to Grantee a sum not to exceed One-hundred and Fifty-thousand Three-hundred dollars (\$150,300.00) ("ERF Grant") which funds shall be only for expenses incurred in performing activities specified in the Application and as may be further described in Exhibit A to this Agreement or as approved by the County. Approved activities as may be described in Exhibit A and in the application, attached as Exhibit B, are referred as the "Project". Administrative costs incurred by Grantee are not eligible for reimbursement. Exhibits A and B are attached and incorporated by this reference.

Grantee shall complete the Project within two (2) years of execution of this Agreement and within the terms stated herein. Any material change in the scope of the Project, including time schedule and budget, must be approved in writing by the County. Upon approval by the County Administrator, the duration of this Agreement may be extended for up to twelve (12) months. Funds made available pursuant to this Agreement shall be used only for expenses incurred in performing such purposes and activities described in the Application and this Agreement.

2. ACCOUNTING AND RECORD KEEPING

For all expenditures of funds made pursuant to this Agreement, Grantee shall keep financial records including properly executed contracts, invoices, and other documents sufficient to evidence in proper detail the nature and propriety of the expenditures. Accounting methods shall be in accordance with generally accepted accounting principles.

The County, the State Auditor, or any of their duly authorized representatives at any time during normal business hours, and as often as they may reasonably deem necessary, shall have access to and the right to examine, audit, excerpt, and transcribe any books, documents, papers, records, etc., which are pertinent to the accounting practices and procedures of Grantee and involve transactions relating to this Agreement. Such materials shall be maintained and such access and rights shall be in force and effect during the period of the Agreement and for six (6) years after its termination or cancellation.

3. PAYMENT/DISBURSEMENT SCHEDULE

County will disburse funds to Grantee pursuant to this Agreement, based on a payment request form provided by the County, submitted by Grantee and approved by the County. Payment requests can be submitted once per month and must be accompanied by supporting invoices that relate to activities in the approved Project budget. Subject to verification of adequacy of a written disbursement request and approval of consistency with this Agreement, the County will disburse the requested amount to Grantee within six (6) weeks after receipt of a written disbursement request. The final request for disbursement must be submitted within six (6) months of the expiration date of this Agreement.

4. REPORTING

Grantee shall submit to the County a report on the distribution of funds and the progress of the Project covered from the date of the grant award through June 30 of each year. The reports must be received by the County no later than July 25 of each year. The report shall identify specific goals listed in the application and quantitatively measure the progress of such goals. Reporting forms will be provided by the County. In addition, the required documentation listed in Exhibit A should be supplied as it becomes available.

5. CONTRACTS

Grantee shall include in any contract, provisions that require contractors to comply with all applicable State and Federal laws and regulations regarding employment and workplace safety.

In accordance with Hennepin County's policies against discrimination, Grantee shall not exclude any person from full employment rights or participation in or the benefits of any program, service, or activity on the grounds of race, color, creed, religion, age, sex, disability, marital status, sexual orientation, public assistance status, or national origin; and no person who is protected by applicable Federal or State laws, rules, or regulations against discrimination shall be otherwise subjected to discrimination.

Public Grantees and any contractors or subcontractors performing services as part of this Agreement shall follow that public Grantee's Affirmative Action policy against discrimination.

6. TERMINATION, CANCELLATION AND ASSIGNMENT

This Agreement may be canceled by the County upon sixty (60) days written notice to Grantee without cause. In the event of such cancellation, Grantee shall be entitled to payment, determined on a pro rata basis, for work or services satisfactorily performed up to the effective date of such cancellation.

If the County finds that there has been a failure to comply with the provisions of this Agreement, that reasonable progress has not been made toward commencement or completion of the assessment and/or clean-up activities specified in the Application and this Agreement, notwithstanding any other provisions of this Agreement to the contrary and after written notice and reasonable opportunity to cure, the County may refuse to disburse additional funds and/or require the return of all or part of the funds already disbursed, to the extent such funds were used for purposes other than activities contemplated by this Agreement.

If the County finds that there has been a violation of any state, federal or local law, the County may upon written notice immediately cancel this Agreement in its entirety and may withhold or delay payment. In the event of a decision to withhold or delay payment, the County shall furnish prior written notice to Grantee specifically identifying the reason for withholding or delaying such payment.

This Agreement may not be assigned without the prior written consent of the County.

7. INDEPENDENT CONTRACTOR

Grantee shall select the means, method, and manner of performing the Project. Nothing is intended or should be construed in any manner as creating or establishing the relationship of co-partners between the parties or as constituting Grantee as the agent, representative, or employee of the County for any purpose. Grantee shall remain an independent contractor with respect to all services and activities performed under this Agreement. Any personnel of Grantee or other persons while engaged in the performance of any work or services required by Grantee under this Agreement will have no contractual relationship with the County, and will not be considered employees of the County. The County shall not be responsible for any claims that arise out of employment or alleged employment under the Minnesota Economic Security Law or the Workers' Compensation Act of the State of Minnesota on behalf of any personnel, including, without limitation, claims of discrimination against Grantee, its officers, agents, contractors, or employees. Grantee shall defend, indemnify and hold harmless the County, its officials, officers, agents, and employees from all such claims irrespective of any determination of any pertinent tribunal, agency, board, commission, or court. Such personnel or other persons shall neither require nor be entitled to any compensation, rights, or benefits of any kind whatsoever from the County, including, without limitation, tenure

rights, medical and hospital care, sick leave, Workers' Compensation, Re-employment Compensation, disability, severance pay, and retirement benefits.

8. INDEMNIFICATION

Grantee agrees to defend, indemnify and hold harmless, the County, its officials, officers, agents, volunteers and employees from any liability, claims, causes of action, judgments, damages, losses, costs, or expenses, including reasonable attorney's fees, resulting directly or indirectly from any act or omission of Grantee, its contractors or subcontractors or anyone directly or indirectly employed by them, and/or any party that directly or indirectly benefits from the activities specified in this Agreement, and/or anyone for whose acts and/or omissions they may be liable in the performance of the activities specified in this Agreement and against all loss by reason of the failure of Grantee to perform any obligation under this Agreement.

9. INSURANCE

In order to protect the County and those listed above under the indemnification provision, Grantee agrees at all times during the term of this Agreement and beyond such term when so required, to have and keep or cause to have and be kept in force, and to cause all contractors to do likewise, the following insurance coverages under either a purchased insurance or self-insurance program:

1. Commercial General Liability on an occurrence basis with Contractual Liability Coverage:

	<u>Limits</u>
General Aggregate	\$2,000,000
Products-Completed Operations Aggregate	2,000,000
Personal and Advertising Injury	1,500,000
Each Occurrence –	
Combined Bodily Injury and Property Damage	1,500,000

2. Automobile Liability – Combined single limit each occurrence for
bodily injury and property damage covering owned, non-owned, and hired
automobiles. 1,500,000

3. Workers' Compensation and Employer's Liability:
 - a. Workers' Compensation Statutory
If the contractor is based outside the State of Minnesota,
coverage must apply to Minnesota laws.

 - b. Employer's Liability. Bodily Injury by:

Accident – Each accident	500,000
Disease – Policy Limit	500,000
Disease – Each Employee	500,000

4. Professional Liability –

Per Claim	1,500,000
Aggregate	2,000,000

The insurance must be maintained continuously for a period of two years after the termination of this Agreement.

Grantee shall require that any independent contractors rendering assessment and/or clean-up activities under this Agreement furnish certificates of insurance to Grantee of the insurance coverages listed above, and provide updated certificates as coverages expire.

An umbrella or excess policy over primary liability coverages is an acceptable method to provide the required insurance limits. The above establishes minimum insurance requirements. It is the sole responsibility of Grantee to determine the need for and to procure additional insurance which may be needed in connection with this Agreement.

Grantee and their contractors shall not commence work until they have obtained required insurance and filed with the Grantee properly executed Certificates of Insurance establishing compliance. The certificate(s) must name the Grantee as the certificate holder and Hennepin County as an additional insured for the commercial general liability coverage(s) for all operations covered under the Agreement and must include the project name and ERF contract number. Grantee shall immediately notify County of any cancellations or reduction of insurance coverage.

Grantee shall provide copies of insurance certificates to the County. If Grantee fails to furnish proof coverages, if requested by the County, the County may withhold payments and/or pursue any other rights or remedy allowed under the contract, law, equity, and/or statute.

10. MERGER AND MODIFICATION

It is understood and agreed that the entire Agreement between the parties is contained herein and that this Agreement supersedes all oral agreements and negotiations between the parties relating to the subject matter hereof. All items referred to in this Agreement are incorporated or attached and are deemed to be part of this Agreement.

Any alterations, variations, modifications or waivers of provisions of this Agreement shall only be valid when they have been reduced to writing as an amendment to this Agreement signed by the parties.

11. MINNESOTA LAWS GOVERN

The Laws of the State of Minnesota shall govern all questions and interpretations concerning the validity and construction of this Agreement and the legal relations between the parties and performance under it. The appropriate venue and jurisdiction for any litigation will be those courts located within the County of Hennepin, State of Minnesota. Litigation, however, in the federal courts involving the parties will be in the appropriate federal court within the State of Minnesota. If any provision of this Agreement is held invalid, illegal or unenforceable, the remaining provisions will not be affected.

12. ACKNOWLEDGMENTS

The Grantee shall acknowledge the financial assistance provided by the County in promotional materials, press releases, reports and publications relating to the Project activities described in Exhibit A which are funded in whole or in part with the grant funds. The acknowledgment should contain the following language:

Financing for this project was provided in part by the Hennepin County Environmental Response Fund.

Until the Project activities funded by this Agreement are completed, the Grantee shall ensure the above acknowledgment language, or alternative language approved the County, is included on all signs located at the Project or construction sites that identify Project funding partners or entities providing financial support for the project.

Until the Project activities funded by this Agreement are completed and for one year after that date, the Grantee shall provide advance notice to the County, including an invitation to the appropriate County Commissioner's office, of any public events related to the Project.

13. USE OF ERF GRANT AS A LOAN

An ERF Grant from County to Grantee may not be disbursed by Grantee to any entity as a loan.

14. HENNEPIN COUNTY PERSONAL PROPERTY TAX AND PROPERTY TAX

Grantee affirms that it and its commissioners and officers have paid all Hennepin County personal property taxes and property taxes due on all of its Hennepin County properties for taxes owed on or before December 31, 2016. If the County finds that personal property taxes and property taxes have not been paid by Grantee's commissioners and officers, County may refuse to disburse funds or require the return of all or part of the funds already disbursed pursuant to section 6 of this Agreement.

COUNTY ADMINISTRATIVE AUTHORIZATION

GRANTEE, having signed this agreement, and the Hennepin County Board of Commissioners having duly authorized this agreement on the 24th of January 2017, and pursuant to such approval, the proper County officials having signed this agreement, the parties hereto agree to be bound by the provisions herein set forth.

Reviewed by the County Attorney's
Office

**COUNTY OF HENNEPIN
STATE OF MINNESOTA**

Assistant County Attorney

By: _____
County Administrator

Date: _____

Date: _____

By: _____
Assistant County Administrator, Public Works

Date: _____

Recommended for Approval

By: _____
Director, Environment and Energy Department

Date: _____

GRANTEE

Grantee warrants that the person who executed this Agreement is authorized to do so on behalf of GRANTEE as required by applicable articles, bylaws, resolutions or ordinances.*

Name: Bassett Creek Watershed Management Commission

By: _____
Jim de Lambert, Chair

Date: _____

And: _____
Michael Scanlan, Secretary

Date: _____

*GRANTEE shall submit applicable documentation (articles, bylaws, resolutions or ordinances) that confirms the signatory's delegation of authority. This documentation shall be submitted at the time Grantee returns the Agreement to the County. Documentation is not required for a sole proprietorship.

Exhibit A

Bassett Creek Main Stem Erosion Repair Project

Project Summary:

Bassett Creek transects several historically industrial sites where significant contaminant releases have occurred. These activities, in addition to dumping and placement of unregulated fill have contributed to contamination along the creek. Deterioration of the creek bank overtime has resulted in the need to stabilize sections of the creek to limit further erosion. The objective of the project is to reduce sediment loading and associated nutrient and contaminant loading, which will result in water quality improvements. An estimated 1,900 CY contaminated soils will need to be managed during construction. Arsenic, mercury, lead, and polycyclic aromatic hydrocarbons were detected above MPCA criteria for unregulated fill. Soil criteria exceedances were limited; however, there is a history of contamination with incomplete cleanup along the creek bank.

The applicant requests ERF assistance for contaminated soil removal and disposal, placement of clean fill, oversight/on-site monitoring and characterization, associated environmental consulting activities, and agency fees.

The following costs are based on a budget submitted by Grantee. Modifications must be approved in writing by the County.

Approved Budget for the Bassett Creek Main Stem Erosion Repair Project Site:

Activities relating to the contaminated soil removal and disposal, placement of clean fill, oversight/on-site monitoring and characterization, associated environmental consulting activities, and agency fees	<u>\$150,300.00</u>
Total:	\$150,300.00

Required Documentation to be Submitted to Hennepin County:

Insurance Certificates with project name and ERF contract number [see SECTION 9. INSURANCE]

Response Action Plan Implementation Report

Contaminated Fill/Soil disposal documentation (unit rates, one manifest per truck per load, and weight/load tickets). Include a spread sheet matching manifest, load tickets, and final weights

Clean fill documentation [by volume – cubic yards]

MPCA Approval Letters and Invoices

Consultant/Contractor Invoices (include time period covered by invoice and documentation supporting expenses, including subcontractor and analytical invoices - include unit rates and quantities, subcontractor markup limited to 10% or less)

Annual Project Progress/Summary Report(s).

Exhibit B

ERF Application

Bassett Creek Main Stem Erosion Repair Project

- 1.2. **Expiration date:** December 31, 2019, or until all obligations have been satisfactorily fulfilled, whichever comes first.
- 1.3. **Survival of Terms:** The following clauses survive the expiration or cancellation of this Agreement: 7. Liability; 8. State Audits; 9. Government Data Practices; 11. Publicity and Endorsement; 12. Governing Law, Jurisdiction, and Venue; 14. Data Disclosure; and 18. Intellectual Property Rights.

2. Grantee's Duties

The Grantee will comply with required grants management policies and procedures set forth through Minn. Stat. § 16B.97, Subd. 4(a)(1). The Grantee is responsible for the specific duties for the Program as follows:

- 2.1. **Implementation:** The Grantee will implement their work plan, which is incorporated into this Agreement by reference.
- 2.2. **Reporting:** All data and information provided in a Grantee's report shall be considered public.
 - 2.2.1. The Grantee will submit an annual progress report to the Board by February 1 of each year on the status of program implementation by the Grantee. Information provided must conform to the requirements and formats set by the Board.
 - 2.2.2. The Grantee will display on its website the previous calendar year's detailed information on the expenditure of these State grant funds and measurable outcomes as a result of the expenditure of these State grant funds according to the format specified by the BWSR, by March 15 of each year.
 - 2.2.3. Final Progress Report: The Grantee will submit a final progress report to the Board by February 1, 2020 or within 30 days of completion of the project, whichever occurs sooner. Information provided must conform to the requirements and formats set by the Board.
- 2.3. **Match:** The Grantee will ensure any local match requirement will be provided as stated in Grantee's approved work plan.

3. Time

The Grantee must comply with all the time requirements described in this Grant Agreement. In the performance of this Grant Agreement, time is of the essence.

4. Terms of Payment

- 4.1. Grant funds will be distributed in three installments: 1) The first payment of 50% will be distributed after the execution of the Grant Agreement. 2) The second payment of 40% will be distributed after the first payment of 50% has been expended and reporting requirements have been met. An eLINK Interim Financial Report that summarizes expenditures of the first 50% must be signed by the Grantee and approved by BWSR. Selected grantees may be required at this point to submit documentation of the expenditures reported on the Interim Financial Report for verification. 3) The third payment of 10% will be distributed after the grant has been fully expended and reporting requirements are met. The final, 10% payment must be requested within 30 days of the expiration date of the Grant Agreement. An eLINK Final Financial Report that summarizes final expenditures for the grant must be signed by the grantee and approved by BWSR.
- 4.2. All costs must be incurred within the grant period.
- 4.3. All incurred costs must be paid before the amount of unspent grant funds is determined. Unspent grant funds must be returned within 30 days of the expiration date of the Grant Agreement.
- 4.4. The obligation of the State under this Grant Agreement will not exceed the amount stated above.
- 4.5. This grant includes an advance payment of 50 percent of the grant's total amount. Advance payments allow the grantee to have adequate operating capital for start-up costs, ensure their financial commitment to landowners and contractors, and to better schedule work into the future.
- 4.6. Contracting and Bidding Requirements per Minn. Stat. §471.345, Grantees that are municipalities as defined in Subd. 1 must do the following if contracting funds from this grant contract agreement for any supplies, materials, equipment or the rental thereof, or the construction, alteration, repair or maintenance of real or personal property.
 - 4.6.1. If the amount of the contract is estimated to exceed \$100,000, a formal notice and bidding process must be conducted in which sealed bids shall be solicited by public notice. Municipalities may, as a best value alternative, award a contract for construction, alteration, repair, or maintenance work to the vendor or contractor offering the best value under a request for proposals as described in Minn. Stat. §16C.28, Subd. 1, paragraph (a), clause (2).
 - 4.6.2. If the amount of the contract is estimated to exceed \$25,000 but not \$100,000, the contract may be made either upon sealed bids or by direct negotiation, by obtaining two or more quotations for the purchase or sale when possible, and without advertising for bids or otherwise complying with the requirements of competitive bidding. All quotations obtained shall be kept on file for a period of at least one year after receipt thereof. Municipalities may, as a best value alternative, award a contract for construction, alteration, repair, or maintenance work to the vendor or contractor offering the best value under a request for proposals as described in Minn. Stat. §16C.28,

Subd. 1, paragraph (a), clause (2) and paragraph (c).

4.6.3. If the amount of the contract is estimated to be \$25,000 or less, the contract may be made either upon quotation or in the open market, in the discretion of the governing body. If the contract is made upon quotation, it shall be based, so far as practicable, on at least two quotations which shall be kept on file for a period of at least one year after their receipt. Alternatively, municipalities may award a contract for construction, alteration, repair, or maintenance work to the vendor or contractor offering the best value under a request for proposals as described in Minn. Stat. §16C.28, Subd. 1, paragraph (a), clause (2).

4.6.4. Support documentation of the bidding process utilized to contract services must be included in the Grantee's financial records, including support documentation justifying a single/sole source bid, if applicable.

4.6.5. For projects that include construction work of \$25,000 or more, prevailing wage rules apply per Minn. Stat. §§177.41 through 177.44. Consequently, the bid request must state the project is subject to prevailing wage. These rules require that the wages of laborers and workers should be comparable to wages paid for similar work in the community as a whole. A prevailing wage form should accompany these bid submittals.

5. Conditions of Payment

All services provided by the Grantee under this Grant Agreement must be performed to the State's satisfaction, as set forth in this Agreement and in the BWSR approved work plan for this program. Compliance will be determined at the sole discretion of the State's Authorized Representative and in accordance with all applicable federal, State, and local laws, policies, ordinances, rules, FY 2017 Clean Water Fund Competitive Grants Policy, and regulations. All Grantees must follow the Grants Administration manual policy. Minnesota Statutes §103C.401 (2014) establishes BWSR's obligation to assure program compliance. If the noncompliance is severe, or if work under the grant agreement is found by BWSR to be unsatisfactory or performed in violation of federal, state, or local law, BWSR has the authority to require the repayment of grant funds, or an additional penalty. Penalties can be assessed at a rate up to 150% of the grant agreement.

The Minnesota Department of Administration's Office of Grants Management Policy on Grant Closeout Evaluation (Policy 08 – 13) requires the Board to consider a grant applicant's past performance before awarding subsequent grants to them. The Board must consider a grant applicant's performance on prior grants before making a new grant award of over \$5,000. The Board may withhold payment on this and grants from other programs if the Grantee is not in compliance with all Board reporting requirements.

6. Assignment, Amendments, and Waiver

6.1. **Assignment.** The Grantee may neither assign nor transfer any rights or obligations under this Grant Agreement without the prior consent of the State and a fully executed Assignment Agreement, executed and approved by the same parties who executed and approved this Grant Agreement, or their successors in office.

6.2. **Amendments.** Any amendment to this Grant Agreement must be in writing and will not be effective until it has been executed and approved by the same parties who executed and approved the original Grant Agreement, or their successors in office. Amendments must be executed prior to the expiration of the original agreement or any amendments thereto.

6.3. **Waiver.** If the State fails to enforce any provision of this Grant Agreement, that failure does not waive the provision or its right to enforce it.

7. Liability

The Grantee must indemnify, save, and hold the State, its agents, and employees harmless from any claims or causes of action, including attorney's fees incurred by the State, arising from the performance of this Grant Agreement by the Grantee or the Grantee's agents or employees. This clause will not be construed to bar any legal remedies the Grantee may have for the State's failure to fulfill its obligations under this Grant Agreement.

8. State Audits

Under Minn. Stat. § 16B.98, subd. 8, the Grantee's books, records, documents, and accounting procedures and practices of the Grantee or other party relevant to this Grant Agreement or transaction are subject to examination by the Board and/or the State Auditor or Legislative Auditor, as appropriate, for a minimum of six years from the end of this Grant Agreement, receipt and approval of all final reports, or the required period of time to satisfy all State and program retention requirements, whichever is later.

8.1. The books, records, documents, accounting procedures and practices of the Grantee and its designated local units of government and contractors relevant to this grant, may be examined at any time by the Board or Board's designee and are subject to verification. The Grantee or delegated local unit of government will maintain records relating to the

receipt and expenditure of grant funds.

- 8.2. The Grantee or designated local unit of government implementing this Agreement will provide for an audit that meets the standards of the Office of State Auditor. The audit must cover the duration of the Agreement Period and be performed within one year after the end of the Agreement Period or when routinely audited, whichever occurs first. Copies of the audit report must be provided to the Board if requested.

9. Government Data Practices

The Grantee and State must comply with the Minnesota Government Data Practices Act, Minn. Stat. Ch. 13, as it applies to all data provided by the State under this Agreement, and as it applies to all data created, collected, received, stored, used, maintained, or disseminated by the Grantee under this Grant Agreement. The civil remedies of Minn. Stat. § 13.08 apply to the release of the data referred to in this clause by either the Grantee or the State.

10. Workers' Compensation

The Grantee certifies that it is in compliance with Minn. Stat. § 176.181, subd. 2, pertaining to workers' compensation insurance coverage. The Grantee's employees and agents will not be considered State employees. Any claims that may arise under the Minnesota Workers' Compensation Act on behalf of these employees and any claims made by any third party as a consequence of any act or omission on the part of these employees are in no way the State's obligation or responsibility.

11. Publicity and Endorsement

- 11.1. **Publicity.** Any publicity regarding the subject matter of this Grant Agreement must identify the Board as the sponsoring agency. For purposes of this provision, publicity includes notices, informational pamphlets, press releases, research, reports, signs, and similar public notices prepared by or for the Grantee individually or jointly with others, or any subcontractors, with respect to the program, publications, or services provided resulting from this Grant Agreement.
- 11.2. **Endorsement.** The Grantee must not claim that the State endorses its products or services.

12. Governing Law, Jurisdiction, and Venue

Minnesota law, without regard to its choice-of-law provisions, governs this Grant Agreement. Venue for all legal proceedings out of this Agreement, or its breach, must be in the appropriate State or federal court with competent jurisdiction in Ramsey County, Minnesota.

13. Termination

- 13.1. The State may cancel this Grant Agreement at any time, with or without cause, upon 30 days' written notice to the Grantee. Upon termination, the Grantee will be entitled to payment, determined on a pro rata basis, for services satisfactorily performed.
- 13.2. In the event of a lawsuit, an appropriation from a Clean Water Fund is canceled to the extent that a court determines that the appropriation unconstitutionally substitutes for a traditional source of funding.

14. Data Disclosure

Under Minn. Stat. § 270C.65, Subd. 3, and other applicable law, the Grantee consents to disclosure of its social security number, federal employer tax identification number, and/or Minnesota tax identification number, already provided to the State, to federal and State tax agencies and State personnel involved in the payment of State obligations. These identification numbers may be used in the enforcement of federal and State tax laws which could result in action requiring the Grantee to file State tax returns and pay delinquent State tax liabilities, if any.

15. Prevailing Wage

It is the responsibility of the Grantee or contractor to pay prevailing wages on construction projects to which State prevailing wage laws apply (Minn. Stat. 177.42 – 177.44). All laborers and mechanics employed by grant recipients and subcontractors funded in whole or in part with these State funds shall be paid wages at rates not less than those prevailing on projects of a character similar in the locality.

16. Constitutional Compliance

It is the responsibility of the Grantee to comply with requirements of the Minnesota Constitution regarding use of Clean Water Funds to supplement traditional sources of funding.

17. Signage

It is the responsibility of the Grantee to comply with requirements for project signage as provided in Minnesota Laws 2010,

18. Intellectual Property Rights

The State owns all rights, title, and interest in all of the intellectual property rights, including copyrights, patents, trade secrets, trademarks, and service marks in the Works and Documents *created and paid for under this grant*. Works means all inventions, improvements, discoveries (whether or not patentable), databases, computer programs, reports, notes, studies, photographs, negatives, designs, drawings, specifications, materials, tapes, and disks conceived, reduced to practice, created or originated by the Grantee, its employees, agents, and subcontractors, either individually or jointly with others in the performance of this grant. Works includes "Documents." Documents are the originals of any databases, computer programs, reports, notes, studies, photographs, negatives, designs, drawings, specifications, materials, tapes, disks, or other materials, whether in tangible or electronic forms, prepared by the Grantee, its employees, agents, or subcontractors, in the performance of this grant. The Documents will be the exclusive property of the State and all such Documents must be immediately returned to the State by the Grantee upon completion or cancellation of this grant at the State's request. To the extent possible, those Works eligible for copyright protection under the United States Copyright Act will be deemed to be "works made for hire." The Grantee assigns all right, title, and interest it may have in the Works and the Documents to the State. The Grantee must, at the request of the State, execute all papers and perform all other acts necessary to transfer or record the State's ownership interest in the Works and Documents.

IN WITNESS WHEREOF, the parties have caused this Grant Agreement to be duly executed intending to be bound thereby.

Approved:

Bassett Creek WMC

Board of Water and Soil Resources

By: _____
 (print)

By: _____

 (signature)

Title: _____

Title: _____

Date: _____

Date: _____

BAR17-0020

Contract No: A166790

PERSONAL/PROFESSIONAL SERVICE AGREEMENT

This Agreement is between the COUNTY OF HENNEPIN, STATE OF MINNESOTA, A-2300 Government Center, Minneapolis, Minnesota 55487 (the "COUNTY"), on behalf of the Hennepin County Environment and Energy Department, 701 Fourth Avenue South, Suite 700, Minneapolis, MN 55415 ("DEPARTMENT") and Bassett Creek Watershed Management Commission, c/o 16145 Hillcrest Lane, Eden Prairie, MN 55346("GRANTEE").

The parties agree as follows:

1. TERM AND COST OF THE AGREEMENT

The term of this contract is commencing on the date of execution of this contract and terminating December 31, 2019, unless terminated earlier in accordance with the Default and Cancellation provisions of this Agreement. Costs incurred by the grantees after the board approval date shall be eligible for reimbursement upon execution of the agreements; and that the Controller be authorized to disburse funds as directed.

GRANTEE shall be paid an amount not to exceed fifty thousand dollars (\$50,000) for reimbursable project costs.

Items of cost for which reimbursement is claimed on the Voucher and Practice Certification Summary Form (Attachment A) are to be supported by invoices/receipts for payments and will be verified by the DEPARTMENT as practical and reasonable. The DEPARTMENT has the authority to make adjustments to the costs submitted for reimbursement. Attachment A with all necessary supporting documentation can only be submitted to the DEPARTMENT on a monthly basis for reimbursement.

In no case shall the DEPARTMENT provide cost-share assistance to the GRANTEE for the reapplication of a practice that was removed by the GRANTEE during its effective life, as defined in Attachment B, without consent of the DEPARTMENT or that failed due to improper maintenance. Attachments A and B are attached and incorporated by this reference.

Reimbursable expenses are limited to activities relating to the implantation of channel stabilization, stream enhancement and restoration along 2,800 feet of stream corridor on Plymouth Creek between Fernbrook Lane and Annapolis Lane in the City of Plymouth (as identified in the Hennepin County Natural Resource "Opportunity" Grant Application for the Plymouth Creek Restoration Project received via email September 7, 2016) including the preparation of project specifications and designs and related site construction and restoration work, in kind services, operation and maintenance plans and related consulting and inspection.

2. PRACTICES TO BE IMPLEMENTED

Expenses incurred in performing activities specified in the Hennepin County Natural Resource Grant Application submitted by the GRANTEE and as is further described in Attachment B to this Agreement or as approved by the County. Administrative costs incurred by GRANTEE are not eligible for reimbursement.

The conservation practice category for which cost-share is requested is **The Plymouth Creek Restoration Project as more fully described in Attachment B.**

3. COST-SHARE PAYMENT

Cost-share payment shall be made directly to GRANTEE after completion of the practice(s) and upon the presentation of a claim as provided by law governing the COUNTY's payment of claims and/or invoices. The GRANTEE shall submit invoices for services related to the implementation of practices. Payment shall be made within 45 days from receipt of the invoice.

GRANTEE shall not provide services under this Agreement without receiving a purchase order or purchase order number supplied by the COUNTY. All invoices shall display the COUNTY purchase order number and be sent to the central invoice receiving address supplied by the COUNTY.

4. INDEPENDENT CONTRACTOR

The GRANTEE shall not be considered to be either a temporary or permanent employee of the COUNTY. The GRANTEE acts as an independent contractor and the GRANTEE'S contractor act hereunder as independent contractors and acquires no tenure rights or any rights or benefits of Workers' Compensation, Re-employment Compensation, medical and hospital care, sick and vacation leave, severance pay, retirement benefits, or any other right or benefit offered to COUNTY employees.

GRANTEE shall select the means, method, and manner of performing the services. Nothing is intended or should be construed as creating or establishing the relationship of a partnership or a joint venture between the parties or as constituting GRANTEE as the agent, representative, or employee of the COUNTY for any purpose. GRANTEE is and shall remain an independent GRANTEE for all services performed under this Agreement. GRANTEE shall secure at its own expense all personnel required in performing services under this Agreement. Any personnel of GRANTEE or other persons while engaged in the performance of any work or services required by GRANTEE will have no contractual relationship with the COUNTY and will not be considered employees of the COUNTY. The COUNTY shall not be responsible for any claims that arise out of employment or alleged employment under the Minnesota Unemployment Insurance Law or the Workers' Compensation Act of the State of Minnesota on behalf of any personnel, including, without limitation, claims of discrimination against GRANTEE, its officers, agents, GRANTEES, or employees. Such personnel or other persons shall neither require nor be entitled to any compensation, rights, or benefits of any kind from the COUNTY,

including, without limitation, tenure rights, medical and hospital care, sick and vacation leave, Workers' Compensation, Re-employment Compensation, disability, severance pay, and retirement benefits.

5. NON-DISCRIMINATION

In accordance with the COUNTY's policies against discrimination, GRANTEE agrees that it shall not exclude any person from full employment rights nor prohibit participation in or the benefits of, any program, service or activity on the grounds of race, color, creed, religion, age, sex, disability, marital status, sexual orientation, public assistance status, or national origin. No person who is protected by applicable Federal or State laws against discrimination shall be subjected to discrimination.

6. INDEMNIFICATION

GRANTEE agrees to defend, indemnify, and hold harmless the COUNTY, its officials, officers, agents, volunteers and employees from any liability, claims, causes of action, judgments, damages, losses, costs, or expenses, including reasonable attorney's fees, resulting directly or indirectly from any act or omission of GRANTEE, a subcontractor, anyone directly or indirectly employed by them, and/or anyone for whose acts and/or omissions they may be liable in the performance of the services required by this Agreement, and against all loss by reason of the failure of GRANTEE to perform any obligation under this Agreement. For clarification and not limitation, this obligation to defend, indemnify and hold harmless includes but is not limited to any liability, claims or actions resulting directly or indirectly from alleged infringement of any copyright or any property right of another, the employment or alleged employment of GRANTEE personnel, the unlawful disclosure and/or use of protected data, or other noncompliance with the requirements of the Data Practices provisions set forth in Section 9 hereof.

7. ACCESS FOR INSPECTIONS

The GRANTEE agrees to acquire written consent from all cost-share grant recipients that the COUNTY, and any duly authorized representatives of the COUNTY, at a time that is mutually agreed upon by the cost-share recipient and the COUNTY, and as often as the COUNTY may reasonably deem necessary, shall have access to and the right to enter the cost-share recipient's property, for purposes of inspection of the practice identified herein.

8. SUCCESSORS, SUBCONTRACTING AND ASSIGNMENTS

GRANTEE shall not assign, transfer or pledge this Agreement and/or the services to be performed, whether in whole or in part, nor assign any monies due or to become due to it without the prior written consent of the COUNTY. A consent to assign shall be subject to such conditions and provisions as the COUNTY may deem necessary, accomplished by execution of a form prepared by the COUNTY and signed by GRANTEE, the assignee and the COUNTY. Permission to assign, however, shall under no circumstances relieve GRANTEE of its liabilities and obligations under the Agreement.

9. DEFAULT AND CANCELLATION/TERMINATION

Should the GRANTEE fail to maintain the practice during its effective life, the Grantee is considered to be in default and is liable to the DEPARTMENT for the full amount of financial assistance received to install and establish the practice. The GRANTEE is not liable for cost-share assistance received if the failure was caused by reasons beyond the GRANTEE's control, or if conservation practices are applied at GRANTEE's expense that provide equivalent protection of the soil and water resources.

This Agreement may be canceled with or without cause by either party upon thirty (30) day written notice.

If this Agreement expires or is cancelled or terminated, with or without cause, by either party, at any time, GRANTEE shall not be entitled to any payment, fees or other monies except for payments duly invoiced for then delivered. In the event GRANTEE has performed work toward a Deliverable that COUNTY has not Accepted at the time of cancellation or termination, GRANTEE hereby expressly acknowledges and agrees that GRANTEE shall not be entitled to any payment for said work including but not limited to incurred costs of performance, termination expenses, profit on the work performed, other costs founded on termination for convenience theories or any other payments, fees, costs or expenses not expressly set forth herein.

10. CONTRACT ADMINISTRATION

In order to coordinate the services of GRANTEE with the activities of the Hennepin County Department of Environment and Energy so as to accomplish the purposes of this Agreement, **James Kujawa, Senior Environmentalist, 612-348-7338**, or successor shall manage this Agreement on behalf of the COUNTY and serve as liaison between the COUNTY and GRANTEE.

Laura Jester, Administrator, Bassett Creek Watershed Management Commission, 952-270-1990, SHALL MANAGE THE AGREEMENT ON BEHALF OF GRANTEE. GRANTEE MAY REPLACE SUCH PERSON BUT SHALL IMMEDIATELY GIVE WRITTEN NOTICE TO THE COUNTY.

11. COMPLIANCE AND NON-DEBARMENT CERTIFICATION

- A. GRANTEE shall comply with all applicable federal, state and local statutes, regulations, rules and ordinances currently in force or later enacted.
- B. If the source or partial source of funds for payment of services under this Agreement is federal, state or other grant monies, GRANTEE shall comply with all applicable conditions of the specific referenced or attached grant.

- C. GRANTEE certifies that it is not prohibited from doing business with either the federal government or the State of Minnesota as a result of debarment or suspension proceedings.

12. PAPER RECYCLING

The COUNTY encourages GRANTEE to develop and implement an office paper and newsprint recycling program.

13. NOTICES

Any notice or demand which must be given or made by a party under this Agreement or any statute or ordinance shall be in writing, and shall be sent registered or certified mail. Notices to the COUNTY shall be sent to the County Administrator with a copy to the originating Department at the address given in the opening paragraph of the Agreement. Notice to GRANTEE shall be sent to the address stated in the opening paragraph of the Agreement or to the address stated in GRANTEE's Form W-9 provided to the COUNTY.

14. CONFLICT OF INTEREST

GRANTEE affirms that to the best of GRANTEE's knowledge, GRANTEE's involvement in this Agreement does not result in a conflict of interest with any party or entity which may be affected by the terms of this Agreement. GRANTEE agrees that, should any conflict or potential conflict of interest become known to GRANTEE, GRANTEE will immediately notify the COUNTY of the conflict or potential conflict, specifying the part of this Agreement giving rise to the conflict or potential conflict, and will advise the COUNTY whether GRANTEE will or will not resign from the other engagement or representation.

15. PROMOTIONAL LITERATURE

GRANTEE agrees, to the extent applicable, to abide by the current Hennepin County Communications Policy (available upon request). This obligation includes, but is not limited to, GRANTEE not using the term "Hennepin County" or any derivative in any promotional literature, advertisements of any type or form or client lists without the express prior written consent of a COUNTY Department Director or equivalent.

16. MINNESOTA LAWS GOVERN

The Laws of the State of Minnesota shall govern all questions and interpretations concerning the validity and construction of this Agreement and the legal relations between the parties and their performance. The appropriate venue and jurisdiction for any litigation will be those courts located within the County of Hennepin, State of Minnesota. Litigation, however, in the federal courts involving the parties will be in the appropriate federal court within the State of Minnesota. If any provision of this Agreement is held invalid, illegal or unenforceable, the remaining provisions will not be affected.

17. HENNEPIN COUNTY PERSONAL PROPERTY TAX AND PROPERTY TAX

Grantee affirms that it and its officers have paid all Hennepin County personal property taxes and property taxes due on all of its Hennepin County properties for taxes owed on or before the date of the execution of this contract. If the County finds that property taxes have not been paid by Grantee, Grantee's owner and Grantee's board of directors (if any), County may refuse to disburse funds or require the return of all or part of the funds already disbursed.

COUNTY ADMINISTRATOR AUTHORIZATION

Reviewed by the County Attorney's
Office

COUNTY OF HENNEPIN
STATE OF MINNESOTA

Assistant County Attorney

By: _____
David J. Hough, County Administrator

By: _____
Assistant County Administrator - Public Works

Date: _____

Recommended for Approval

By: _____
Director, Hennepin County Environment and
Energy Department

Date: _____

Grantee

The Grantee certifies that the person who
executed this Agreement is authorized to do so on
behalf of the Grantee as required by applicable
articles, bylaws, resolutions or ordinances.*

Printed Name: _____

Signed: _____

Title: _____

Date: _____

* Contractor shall submit applicable documentation (articles, bylaws, resolutions or ordinances) that confirms the signatory's delegation of authority. This documentation shall be submitted at the time Contractor returns the Agreement to the County. Documentation is not required for a sole proprietorship.

ATTACHMENT A

Hennepin County – Department of Environment and Energy (HCDEE) COST - SHARE VOUCHER & PRACTICE CERTIFICATION FORM

A. PAYEE INFORMATION		B. PROJECT INFORMATION		
Name: <input type="checkbox"/> Check if name or address change		I.D. Number:		
Address:		HCDEE Program: <input type="checkbox"/> Easement <input type="checkbox"/> Cost-Share <input type="checkbox"/> Other		
City, State, & Zip Code:		Practice Type (one only)	Practice Area(s)	Acres Completed:

C.	COST	<i>Basis of Request</i>			<i>Type of Request</i>		<i>Completion Date:</i>
	INFORMATION	<input type="checkbox"/> Installation	<input type="checkbox"/> Establishment	<input type="checkbox"/> Reinstallation	<input type="checkbox"/> Partial	<input type="checkbox"/> Final	

[illegible]

R - Receipted Item/Invoiced Item I - In - Kind Contribution (attach additional sheets as necessary)

Total

I certify that this is an accurate and true summation of the actual costs and quantities of material, labor, and equipment used on the above project. In cases where the receipts included items not used on the project, I have corrected them accordingly.

(Payee Signature)

(Date)

D. PAYMENT INFORMATION		EASEMENT PROGRAMS {(c) cannot exceed (a) - (b)}	
TOTAL COST OF PRACTICE	<div style="border: 1px solid black; width: 150px; height: 30px;"></div>	(from above)	(a) Maximum Payment Allowed <div style="border: 1px solid black; width: 150px; height: 30px;"></div>
Program Cost-share Payment:	- <div style="border: 1px solid black; width: 150px; height: 30px;"></div>	[from box (c)]	(b) Total of Previous Payments: <div style="border: 1px solid black; width: 150px; height: 30px;"></div>
OTHER FUNDING SOURCES (please identify source)			(c) Cost -Share Payment Requested <div style="border: 2px solid black; width: 150px; height: 30px;"></div>
-	<div style="border-bottom: 1px solid black; width: 150px;"></div>		COST-SHARE PROGRAM {(b) + (c) cannot exceed 75% of (a)} (a) Total Cost Approved: <div style="border: 1px solid black; width: 150px; height: 30px;"></div> (b) Other public funds _____ % <div style="border: 1px solid black; width: 150px; height: 30px;"></div> (c) HCDEE Share _____ % <div style="border: 2px solid black; width: 150px; height: 30px;"></div>
-	<div style="border-bottom: 1px solid black; width: 150px;"></div>		
-	<div style="border-bottom: 1px solid black; width: 150px;"></div>		
-	<div style="border-bottom: 1px solid black; width: 150px;"></div>		
-	<div style="background-color: black; width: 150px; height: 15px;"></div>		
LAND OWNER/LAND OCCUPIER COST:	<div style="border: 1px solid black; width: 150px; height: 30px;"></div>		

(Attach additional sheets as necessary)

<p>E. HCDEE CERTIFICATION</p> <p>I certify that an inspection has been performed and that the items identified in part C have been completed and are in accordance with the required practice standards and specifications.</p>				<p>I certify that I have reviewed this voucher and all supporting information and that to the best of my knowledge and belief, the quantities and billed costs or disbursements are accurate and are in accordance with terms of the program identified.</p>			
<p>_____ (HCDEE Technical Representative)</p>				<p>_____ (Date)</p>			
<p>_____ (Authorized HCDEE Representative)</p>				<p>_____ (Date)</p>			

Attachment B

Plymouth Creek Restoration Project

Project Summary

This project will improve water quality in Plymouth Creek and Medicine Lake by reducing erosion and stabilizing and restoring streambanks along both sides of Plymouth Creek for a total of 2,800 feet including 1,700 feet within Plymouth Creek and 1,100 feet between Fernbrook Lane and Annapolis Lane in the City of Plymouth. The project is estimated to reduce total phosphorus and suspended sediment loading to the creek by 52.2 and 90,800 lbs per year, respectively. Plymouth Creek is tributary to Medicine Lake, a regionally significant lake impaired for nutrients with a nutrient TMDL completed in 2010.

The study identified 21 areas within three reaches where stabilization and restoration is needed. Techniques proposed to be used include re-meandering the stream channel; restoring the vegetative buffer; re-connecting the stream with its floodplain; installing a variety of stream stabilization measures, including riprap, root wads and toe wood, vegetated reinforced soil stabilization (VRSS), rock or log vanes, and stone toe protection; and removing large woody debris. Many of these techniques including vegetation establishment and log or rock vanes will also improve in-stream and near stream habitat along Plymouth Creek. Finally, educational signage in Plymouth Creek Park will inform residents and disc golf players about the project and its goals along with information on general water quality and best practices.

Approved Budget Activities

Activities relating to the implantation of channel stabilization, stream enhancement, riparian corridor improvements, habitat restoration, and stream corridor restoration practices along Plymouth Creek in Plymouth, as part of the BCWMC 2016 study for Plymouth Creek (as identified in the Hennepin County Natural Resource “Opportunity” Grant Application for the Plymouth Creek Restoration Project received via email September 7, 2016) including the preparation of project specifications and designs and related site construction and restoration work, in kind services, operation and maintenance plans and related consulting and inspection.

Hennepin County Natural Resource “Opportunity” Grant reimbursements with said work shall not exceed \$50,000 for reimbursable project expenses.

The effective life of this practice is ten (10) years.

Reporting Requirements/Deliverables

The following reporting items are required during the project:

- Project Design and Specifications
- All invoices for consultant and/or contractor work.
- Approval of in-kind contributions prior to work.
- Certification that the project was installed according to the approved plans and specifications
- Operation and Maintenance plans covering the life of the practice.
- Final Project Report (see standard template)



BASSETT CREEK WATERSHED MANAGEMENT COMMISSION

Item 5A.
BCWMC 3-16-17

A RESOLUTION OF APPRECIATION FOR SERVICES OF LISA GODDARD
TO THE BASSETT CREEK WATERSHED MANAGEMENT COMMISSION

WHEREAS, the Bassett Creek Watershed Management Commission (the "Commission") is a joint powers organization formed by the cities of Crystal, Golden Valley, Medicine Lake, Minneapolis, Minnetonka, New Hope, Plymouth, Robbinsdale and St. Louis Park; and

WHEREAS, the Commission serves as the duly constituted watershed management organization for the Bassett Creek watershed pursuant to the Metropolitan Surface Water Management Act); and

WHEREAS, under the Act and the Commission's joint powers agreement the Commission is charged with responsibility for the management of storm water to protect persons and property from flooding and to protect and preserve the water quality of lakes, streams and wetlands of the Bassett Creek Watershed and downstream receiving waters; and

WHEREAS, Lisa Goddard served as a representative from the City of Minneapolis for more than thirteen years from 2004 to 2017; and

WHEREAS, Lisa helped to develop significant policy recommendations as an active participant on the Plan Steering Committee for the 2015 Watershed Management Plan; and

WHEREAS, Lisa utilized her expertise as a civil engineer to help the Commission understand and appropriately evaluate technical projects and information; and

WHEREAS, Lisa was a helpful and active participant in community input sessions regarding the 2015 Watershed Management Plan, and in meetings with city and Commission staff regarding projects slated for implementation in the City of Minneapolis; and

WHEREAS, Lisa gave generously of her time and talents, without compensation, to protect and improve the environment and to serve the public with integrity, vision, and respect for others.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Bassett Creek Watershed Management Commission, its member cities, and the public hereby express its sincere and grateful appreciation to Lisa Goddard for her distinguished service to the public.

Adopted by the Board of Commissioners of the Bassett Creek Watershed Management Commission this 16th day of March, 2017.

Chair



Memorandum

To: Bassett Creek Watershed Management Commission
From: Barr Engineering Co.
Subject: Item 5C – Golden Valley 2017 Pavement Management Program Project – Golden Valley, MN
BCWMC March 16, 2017 Meeting Agenda
Date: March 8, 2017
Project: 23270051 2017 2109

5C Golden Valley 2017 Pavement Management Program Project – Golden Valley, MN BCWMC 2017-02

Summary:

Proposed Work: Excavation, grading, concrete curb and gutter, bituminous paving, storm sewer replacement, sanitary sewer repair, water main replacement, concrete sidewalk, and retaining wall construction.

Basis for Commission Review: Linear project disturbing over five (5) acres, consideration of variance from MIDS performance goal

Impervious Surface Area: Decrease approximately 0.62 acres

Recommendation: Conditional Approval

General Background & Comments

The proposed project includes reconstruction of Wheeler Boulevard directly south of Earl Street North, Naper Street North from Mendelssohn Avenue North to Flag Ave North, Olympia Street North from Mendelssohn Avenue North to Gettysburg Avenue North, Independence Avenue North from Olympia Street North to Earl Street North, Hillsboro Avenue North from Winsdale Street north to Naper Street North, Gettysburg Avenue North from Olympia Street North to Naper Street North, a portion of the alley north of Naper Street North between Mendelssohn Avenue North and Independence Avenue North, the alley between Earl Street North and Wheeler Boulevard, a portion of Harold Avenue North between Winnetka Avenue North and Rhode Island Avenue North, a portion Glenwood Avenue (CSAH 40) between Olson Memorial Hwy (TH 55) and Harold Avenue North, and a portion of Wayzata Boulevard between Hwy 100 (TH 100) and Natchez Avenue South including storm sewer replacement, sanitary sewer repair, water main replacement, concrete sidewalk, and retaining wall construction. The project is located primarily in the Medicine Lake Direct subwatershed, with the Wayzata Boulevard work in the Sweeney Lake subwatershed. The proposed project results in 6.33 acres of grading, and a decrease of approximately 0.62 acres of impervious surface, from 4.40 acres under existing conditions to 3.78 acres of impervious surface under proposed conditions.

Floodplain

The project does not involve work in the Bassett Creek floodplain.

Wetlands

The project appears to involve work adjacent to wetlands. The City of Golden Valley is the LGU for administering the Minnesota Wetland Conservation Act of 1991.

Stormwater Management

The drainage patterns under existing and proposed conditions will remain similar; this project will not result in major changes to land use or topography. This project will reduce stormwater volumes and rates by decreasing the amount of impervious surface within the project area.

Water Quality Management

Background

In 2016, the City of Golden Valley submitted plans for their 2016 Pavement Management Program (PMP) project. The City was not able to meet the MIDS performance goal as part of the project, therefore the City's consultant provided a sequencing analysis following the MIDS design sequence flow chart and indicating what treatment options were explored and feasible on the site. The 2016 letter from the City requesting the variance and the 2016 memo from the City's consultant discussing the MIDS design sequence are attached.

The City prepared the Lakeview Park Pond feasibility study in the project area to identify strategies to improve water quality treatment, address flooding issues in the neighborhood and provide relief to the undersized storm sewer system that discharges from the project area under TH 169 and into Medicine Lake. The study concluded that construction of a pond for water quality or rate control was not feasible in this area due to poor soils and homes with flooding risk. Because other areas in the watershed were not available and not suitable for construction of water quality treatment BMPs, the City was unable to meet FTO 3 (off-site mitigation) as part of the 2016 PMP project.

Because the City was unable to meet any of the flexible treatment options, the City proposed to provide equivalent offsite treatment to meet the MIDS performance goals for the project by the end of 2018. Therefore the City requested a variance from the MIDS performance goal in accordance with Section 3.3 of the Requirements document with the condition that the City provide future offsite treatment.

At their March 2016 meeting, the Commission approved the project and granted a variance from the MIDS performance goal with conditions, including:

1. The City shall implement all practical and feasible water quality best management practices, including reducing impervious area and installing sump manholes with SAFL baffles, related to the construction of the project; and
2. The City shall provide offsite treatment to meet the MIDS performance goals for the project by the end of 2018 or as soon thereafter as is reasonable possible.

The BCWMC's resolution granting the variance for the 2016 Golden Valley PMP Project is attached.

2017 Golden Valley PMP Project

There is currently little to no water quality treatment in the City's 2017 Pavement Management Program (PMP) area. Because the project is a linear redevelopment that creates one acre or greater of new and/or fully reconstructed impervious surfaces, the September 2015 BCWMC Requirements for Improvements and Development Proposals (Requirements) document requires that the project capture and retain the larger of 1) 0.55 inches of runoff from the new and fully reconstructed impervious surfaces, or 2) 1.1 inches of runoff from the net increase in impervious area. In this case, 0.55 inches of runoff from the new and fully reconstructed impervious surfaces is the larger volume, resulting in a required treatment volume of 0.17 acre-feet (7,400 cubic feet). If the performance goal is unable to be met due to site restrictions, the Requirements document requires that the MIDS flexible treatment options approach be used, following the MIDS design sequence flow chart.

The City proposes to construct two sump manholes to provide water quality treatment for the project (approximately 20% TSS removal, negligible TP removal). The City is not proposing to construct any volume reduction BMPs.

Because the City cannot meet the flexible treatment options as part of this project, the City proposes to provide equivalent offsite treatment to meet the MIDS performance goals for the project by the end of 2018. Therefore the City requests a variance from the MIDS performance goal in accordance with Section 3.3 of the Requirements document with the condition that the City provides future offsite treatment. The 2017 cover letter from the City is attached.

In granting variances, the Commission shall make a finding showing that all of the following conditions exist (*note the City's justification corresponding to the requirements below in italics*)

1. There are special circumstances or conditions affecting the property such that the strict application of the provisions of these standards and criteria would deprive the applicant of the reasonable use of the applicant's land.
Because the project is a linear road project, there is limited right-of-way in which to install BMPs for water quality treatment. The project area has poor soils which are not conducive to volume reduction.
2. The variance is necessary for the preservation and enjoyment of a substantial property right of the applicant.
The property is public road right-of-way; therefore, the land use cannot be changed or further reduced from the current footprint.
3. The granting of the variance will not be detrimental to the public welfare or injurious to the other property in the territory in which the property is situated.
Granting of the variance will not be detrimental to the public welfare or injurious to the other property in the territory in which the property is situated.
4. In applications relating to a use in the 1% (base flood elevation, 100-year flood) floodplain set forth in Table 2-9 of the Plan, the variance shall not allow a lower degree of flood protection than the current flood protection.
The project is not located in the Bassett Creek floodplain.

5. The granting of the variance will not be contrary to the intent of taking all reasonable and practical steps to improve water quality within the watershed.

Because the project will reduce the impervious surface of the project area from existing conditions, the project will be improving water quality from existing conditions, but is not in compliance with the current Requirements document. The City will provide equivalent offsite treatment by the end of 2018.

CIP Funding Request

The City of Golden Valley is proceeding with the preliminary design of a water quality improvement project to be constructed as part of the 2018 PMP project. The water quality improvement project will be constructed following City acquisition of the remaining three flood-prone homes in the area. The City of Golden Valley has requested Capital Improvement Program (CIP) funds from the Commission to assist in the acquisition of the three flood-prone homes and expedite the construction of the water quality improvement. This request is covered in a separate agenda item (see 5D).

Erosion and Sediment Control

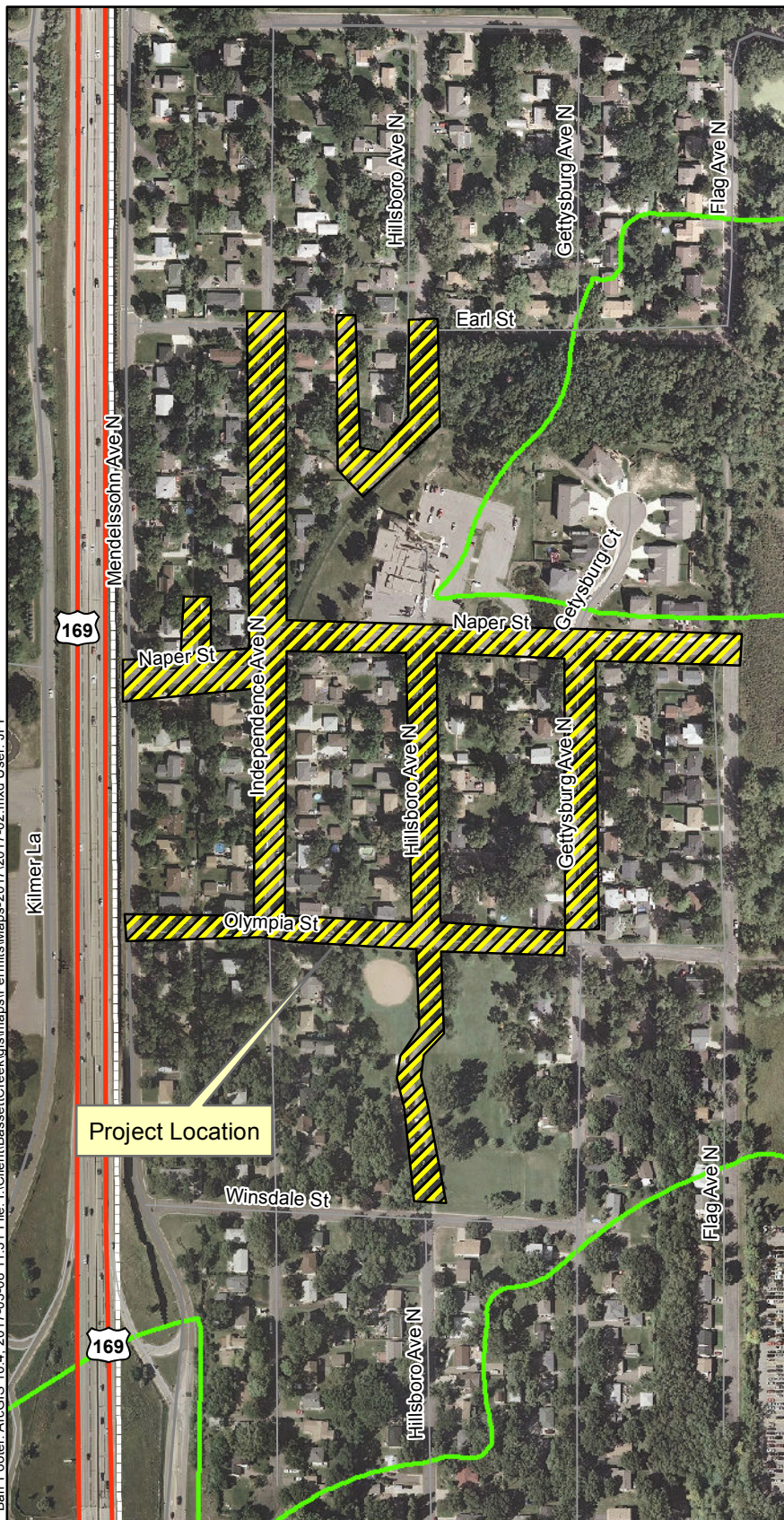
Since the area to be graded is greater than one acre, the proposed project must be submitted to the BCWMC for review. Proposed temporary erosion control features include silt fence and catch basin inlet protection

Recommendation

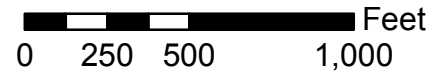
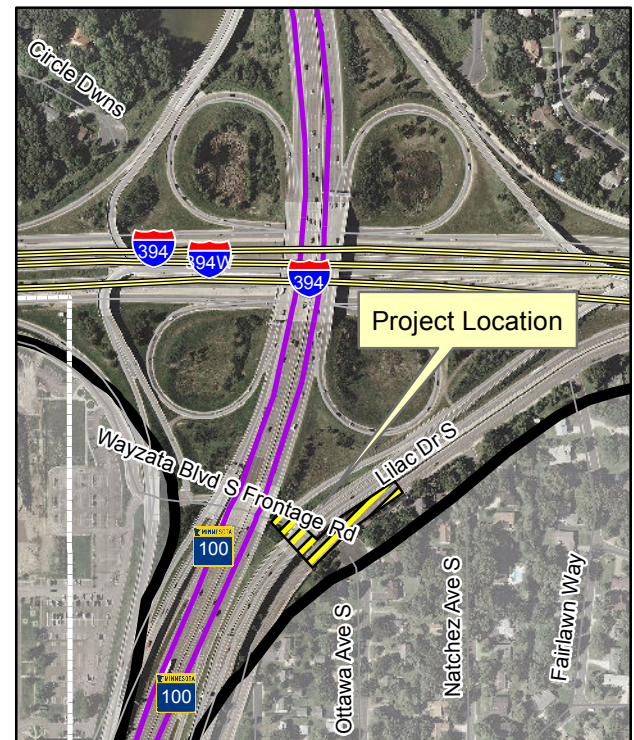
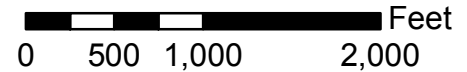
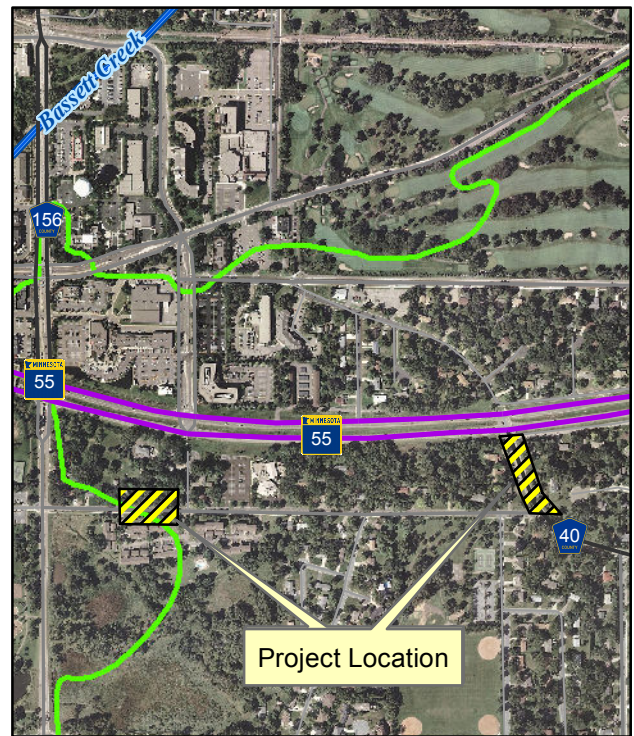
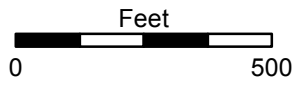
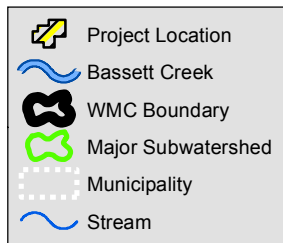
Conditional approval based on the following comments:

1. Commission approval of the City's variance request, including providing equivalent offsite treatment to meet the MIDS performance goals for the project by the end of 2018. Drawings for the future offsite treatment must be provided to the BCWMC Engineer for administrative review and approval.
2. Construction entrances must have a wash-off berm with a minimum height of 2 feet above the adjacent roadway.
3. Construction entrances should be shown on the plans.
4. Revised drawings (paper copy and final electronic files) must be provided to the BCWMC Engineer for final review and administrative approval.

Barr Footer: ArcGIS 10.4, 2017-03-08 11:31 File: I:\Client\BassettCreek\GIS\maps\Permits\Maps-2017\2017-02.mxd User: JPP



Imagery Source: Aerial Express (2009)



LOCATION MAP
APPLICATION 2017-02
Golden Valley 2017 PMP
Golden Valley, MN

A RESOLUTION GRANTING A VARIANCE FROM WATER QUALITY TREATMENT REQUIREMENTS FOR THE 2017 GOLDEN VALLEY PAVEMENT MANAGEMENT PROGRAM

Bassett Creek Watershed Management Commission
Resolution #17-04

WHEREAS, the City of Golden Valley (“City”) requests a variance from the Bassett Creek Watershed Management Commission (“BCWMC”) water quality treatment requirements, known as the Minimal Impact Design Standards (“MIDS”) performance goals, for the 2017 Golden Valley Pavement Management Program (“Project”);

WHEREAS, the City and its consulting engineer have studied the options available to meet the MIDS treatment standards for the Project and have determined that it is not feasible to satisfy the standards as part of the Project because of the linear nature of the Project, the existence of poor soils in the Project area that are not conducive to volume reduction, and the confined right-of-way area in which the Project will be constructed;

WHEREAS, the City will construct all practical and feasible water quality best management practices available in conjunction with this Project, including reducing impervious area and installing sump manholes with SAFL baffles, but despite these efforts the Project will not meet the MIDS performance goals including the three flexible treatment options;

WHEREAS, the City can provide equivalent offsite treatment to meet the MIDS performance goals for the Project by the end of 2018; and

WHEREAS, the Board of Commissioners (“Board”) has considered the request, the standards for issuing variances in the BCWMC’s Requirements for Improvements and Development Proposals, and finds and determines as follows:

1. The linear nature of the Project, the poor soils, and the limited area in which the Project will be constructed constitute special circumstances or conditions such that the strict application of the provisions of the standards and criteria would deprive the City of the reasonable use of its right-of-way and its ability to construct improvements;
2. The requested variance is necessary for the preservation and enjoyment of a substantial property right of the applicant in that the City is working to improve its right-of-way for the benefit of the public;
3. Granting the variance will not be detrimental to the public welfare or injurious to the other property in the territory of the right-of-way being improved in that the Project will be increasing safety and addressing existing surface water issues;
4. The Project does not relate to a use in the 1% (base flood elevation, 100-year flood) floodplain set forth in Table 2-9 of the Plan;

5. Granting the variance will not be contrary to the intent of taking all reasonable and practical steps to improve water quality within the watershed in that the City will implement all practical and feasible water quality best management practices available in conjunction with this Project, including reducing impervious area and installing sump manholes with SAFL baffles.

NOW, THEREFORE, BE IT RESOLVED, by the Board of the BCWMC that, pursuant to its variance procedure the BCWMC Requirements for Improvements and Development Proposals, the findings contained herein, and the record of this matter, it hereby grants the City a variance from the MIDS performance goals for the Project conditioned on the City agreeing to 1) implement all practical and feasible water quality best management practices, including reducing impervious area and installing sump manholes with SAFL baffles, related to the construction of the Project; and 2) provide equivalent offsite treatment to meet the MIDS performance goals for the Project by the end of 2018.

Adopted by the Board of Commissioners of the Bassett Creek Watershed Management Commission this 16th day of March, 2017.

Chair

Attest:

Secretary

Resolution No. _____: Offered by Commissioner _____, seconded by Commissioner _____, adopted by a vote of _____ at the regular meeting of the Board of Commissioners of Bassett Creek Watershed Management Commission on March 16, 2017.



Bassett Creek Watershed Management Commission

MEMO

To: BCWMC Commissioners
From: Laura Jester, Administrator
Date: March 8, 2017

RE: Item 5D. Consideration of Transferring CIP Funds from Lakeview Park Pond Project

The City of Golden Valley is requesting the use of CIP funds previously slated for the 2013 Lakeview Park Pond Project to purchase three of four flood-prone homes near Lakeview Park in order to reduce flood damages and make space for a water quality improvement project. Studies performed by city have found no practical way to prevent flooding of these homes.

Recommendation:

Direct Commission staff to begin minor plan amendment process to convert the previous Lakeview Park Pond CIP Project to a project for flood reduction through the purchase of flood prone homes.

Background:

At their meeting in September 2012, the Commission entered an agreement with the City of Golden Valley to design and construct the Lakeview Park Pond Project based on the [feasibility study](#) developed in 2004 (and updated in 2011). The project was slated to improve the water quality of Medicine Lake by treating runoff from the immediate watershed.

At their meeting in April 2013, the Commission received information on various challenges with the site, its soils, and the possible effects of the project on the basements of homes in the vicinity of the park.

At their meeting in June 2013, the Commission received a [letter](#) from the City of Golden Valley indicating that after further analysis, the project was no longer considered feasible until flooding issues adjacent to the park are resolved. The city acknowledged in the letter that in order to address the flooding issues on private property adjacent to the park, it may be necessary to purchase homes, which would allow for the construction of a stormwater treatment pond.

Since 2013 there has been a balance of \$184,410.50 in the CIP account for the Lakeview Park Pond Project.

Justification:

1. The Lakeview Park Pond Project was deemed infeasible yet CIP funds are available for a project in this area and are sitting unutilized.

2. The City of Golden Valley has already purchased one of the four properties and currently has willing home sellers for the other three properties. The city also has the additional funding of \$500,000 needed to complete the purchase of flood-prone homes in this area (if used in conjunction with the CIP funds).
3. With space provided by the removal of flood-prone homes, a water quality improvement project would be constructed in conjunction with the city's 2017 and 2018 pavement management/street reconstruction projects in this same area. This area is one of very few places in the city that is tributary to Medicine Lake and where a water quality treatment project is feasible.
4. Combining the street reconstruction projects and the construction of a water quality project lowers construction costs and eliminates the need to "tear up" new pavement if a water quality project were implemented in the future instead of in conjunction with the pavement project.
5. The water quality treatment project would allow the city to meet the MIDS requirements needed for its 2016 and 2017 pavement management plan (and for which the Commission granted the city a temporary variance in [March 2016](#) and is considering a similar temporary variance at this meeting, Item 5C).
6. [Policy 110](#) in the BCWMC Watershed Management Plan includes "gatekeeper" questions regarding allowable CIP projects:
 - Project is part of the BCWMC trunk system
 - Project improves or protects water quality in a priority waterbody
 - Project addresses an approved TMDL or watershed restoration and protection strategy (WRAPS)
 - Project addresses flooding concern

This project to purchase flood prone homes, allowing space for a water quality treatment project, satisfies three of the four gatekeeper questions by addressing a flood concern, and allowing for the improvement of water quality in a priority waterbody that has an approved TMDL (Medicine Lake).

7. According to Table 5-1 of the [BCWMC Watershed Management Plan](#), the purchase of property is considered a CIP project cost that "will be considered for whole or partial reimbursement on a project by project basis."

Memorandum

To: Bassett Creek Watershed Management Commission
From: Barr Engineering Co.
Subject: Item 5E – Recommendations on BCWMC Performance Standards for Linear Projects
Date: March 8, 2017
Project: 23270051 2017 003

Recommendations

The Commission engineer offers the following recommendations for the Commission's consideration:

1. The Commission implement a cost cap (in dollars/pound of total phosphorus removed) above which treatment in accordance with the MIDS performance goals for linear projects would not be required. The cost cap should be reevaluated on an annual basis to confirm its appropriateness. The cost cap process needs to consider the cost of providing treatment that meets MIDS flexible treatment options 1, 2 and 3, including the cost of providing offsite treatment for linear projects.
2. The Commission direct the Engineer to perform further research to develop a recommended cost cap, based on cost caps used by other similar organizations, and the costs of constructed BMPs within the BCWMC and nearby projects.
 - a. Perform research on current BCWMC and nearby projects to determine the range and average cost per pound of total phosphorus removed on linear and CIP projects. The following projects will be considered:
 - i. Linear projects constructed in BCWMC since the adoption of the MIDS performance goals (the Engineer will request project cost information from member cities).
 - ii. BCWMC CIP projects (information on both constructed projects and projects at the feasibility study level).
 - iii. Linear projects outside BCWMC, but with similar treatment requirements (i.e. projects in Minnetonka outside BCWMC). The Engineer will request project cost information from contacts at nearby cities.
 - b. Hold TAC meeting to discuss the linear project treatment cost research results and the draft cost cap value. The Commission Engineer would gather more information or revise the cost cap recommendation as necessary.
 - c. Prepare a memo to the Commission summarizing the information on linear project treatment costs and including a recommended cost cap value. If the value of a cost cap cannot be

determined after this level of effort, the Commission Engineer will propose the additional steps necessary to develop a cost cap recommendation.

The Commission Engineer will bring a cost estimate for completing the above work to the March 16th Commission meeting.

3. The Commission continues to require the current MIDS performance goals for linear projects with variance requests, if needed, until a cost cap value is adopted by the Commission (or determined to be infeasible to set).
 - a. If the Commission deems the cost cap determination process is too large an effort, the current process should continue to be used.

Background

Since the BCWMC's adoption of MIDS in September 2015, member cities with local street reconstruction projects have indicated that poor draining soils, high groundwater, limited right-of-way, utilities, contamination, and other issues make meeting MIDS linear project requirements difficult. These challenges led to the TAC recommending that the Commission change the performance standard for linear projects back to what was in place prior to the 2015 Requirements document—a "good faith effort" standard. At their January 19, 2017 meeting, the Commission approved a motion in response to the TAC recommendation that directed the "Commission Engineer to analyze the questions and concerns raised by the Technical Advisory Committee and develop a recommendation for the Commission on how to move forward with this issue." The Commission confirmed that if the Commission Engineer deemed this request to be a significant undertaking, a proposed scope of work would be brought to the Commission for consideration.

The Commission implementation of a cost cap would help cities to budget for the maximum amount required to cover water quality treatment, while still providing an enforceable mechanism for the Commission to review projects for compliance with the Requirements document.

TAC Concerns

Below is a summary of the TAC concerns and comments. Several of the concerns are addressed or responded to in the *Considerations* section.

1. Any requested changes would apply only to linear projects, not private development.
2. Chloride contamination is an issue, including its infiltration into groundwater. Infiltrating runoff directly from roadways may contribute to chloride contamination.
3. In some cases, there truly is not a way to implement the current standards, so no amount of a cost cap would help.

4. In some cases cities can install multiple best management practices that can offset other projects (e.g., banking credit).
5. Long term maintenance of structures in rights-of-way is another big concern for cities.
6. MIDS flexible treatment option #3 (off-site mitigation) should be a viable option for cities to use if other practices are not workable.
7. Road reconstruction is different from redevelopment; redevelopment is a genuine opportunity to improve conditions while road reconstruction is maintenance of existing public infrastructure with limited space and often with existing underground utilities.
8. 2004 – 2014 BCWMC stormwater management requirements required that a “good faith effort” be made to improve conditions during road projects. Cities often did improve conditions during road projects.
9. Credit should be given for performing increased street sweeping in priority areas.
10. A credit banking system is not desirable because developers may argue for the same system or to use credits.
11. Golden Valley spent millions to address sanitary sewer inflow and infiltration issues in the city and cannot support infiltration in the right-of-way of linear projects due to the nearby presence of sanitary sewer pipes.
12. Cities would rather fund other failing infrastructure than water quality improvements from existing impervious surface.
13. The MIDS criteria should only be applied to new impervious surface, not reconstructed impervious surface. If BCWMC applied MIDS only to new impervious surface,, should the trigger be reduced from one acre of impervious surface?
14. For road projects, there are many issues to address in addition to water quality.

Current BCWMC (MIDS) Linear Project Performance Goals and Process

Section 6.2 of the BCWMC’s 2015 Requirements for Improvements and Development Proposals (Requirements) document outlines the MIDS performance goals. Linear projects on sites without restrictions that create more than one acre of new and/or fully reconstructed impervious surface must meet the MIDS performance goal for linear projects. Mill and overlay, other resurfacing and reconstruction activities that do not alter the underlying soil material beneath the structure, pavement or activity are not considered fully reconstructed impervious surfaces. Sites with restrictions may follow the flexible treatment options approach. Site restrictions include those factors listed in the MIDS flexible treatment options, which include but are not limited to: shallow depth to bedrock, contaminated soils, shallow groundwater, clay/tight soils, existing site constraints or zoning requirements.

MIDS performance goal:

Linear projects on sites without restrictions that create one acre or greater of new and/or fully reconstructed impervious surfaces, shall capture and retain the larger of the following:

- 0.55 inches of runoff from the new and fully reconstructed impervious surfaces
- 1.1 inches of runoff from the net increase in impervious area

Mill and overlay and other resurfacing and reconstruction activities that do not alter the underlying soil material beneath the structure, pavement or activity are not considered fully reconstructed impervious surfaces. Paved trails are considered pervious if they are buffered by a vegetated area at least half the width of the trail (Section 4.5 of the Requirements document).

Section 6.3 of the 2015 Requirements document outlines the flexible treatment options approach. The flexible treatment options approach includes the following alternatives to be considered, in order, if there are restraints to meeting the MIDS performance goal due to lack of available right-of-way (a reasonable attempt must be made to obtain right-of-way during the project planning process), off site drainage, and/or rate control requirements.

- Flexible Treatment Option #2 (FTO #2) requires the applicant to provide (1) volume reduction to the maximum extent practicable and (2) removal of 60% of the annual TP load.
- Flexible Treatment Option #3 (FTO #3) requires the applicant to provide off-site mitigation (including banking or cash or treatment on another project as determined by the local authority) equivalent to the volume reduction performance goal at an off-site location, preferably a location that benefits the same receiving waterbody as the original project.

Variance Procedure:

Section 3.3 of the 2015 Requirements document outlines the variance procedure. The BCWMC established a variance procedure to be used when projects cannot meet the standards outlined in the Requirements document. Applications for variances must state the exceptional conditions of the property and the peculiar and practical difficulties claimed as a basis for a variance. Since the BCWMC's adoption of MIDS in September 2015, cities have requested variances to provide future off-site treatment for linear projects and to receive credit for linear projects for treatment provided by BCWMC CIP projects in adjacent areas.

A variance request allows the applicant to request that the BCWMC approve a lower amount of volume or water quality treatment than is required and not provide off-site treatment. In granting a variance, the BCWMC must find that (1) there are special circumstances or conditions affecting the property such that the strict application of the provisions of the standards and criteria would deprive the applicant of the reasonable use of the applicant's land, (2) the variance is necessary for the preservation and enjoyment of a substantial property right of the applicant, (3) the granting of the variance will not be detrimental to the public welfare or injurious to the other property in the territory in which the property is situated, (4) the

variance shall not allow a lower degree of flood protection than the current flood protection, and (5) the variance will not be contrary to the intent of taking all reasonable and practical steps to improve water quality within the watershed.

Considerations

The Engineer reviewed the requirements of eight other watershed districts or joint powers watershed management organizations (Ramsey-Washington Metro Watershed District (RWMWD), Shingle Creek Watershed Management Commission, District, Rice Creek Watershed District, Riley Purgatory Bluff Creek Watershed District (RPBCWD), Nine Mile Creek Watershed District (NMCWD), Minnehaha Creek Watershed District (MCWD), Elm Creek Watershed Management Commission, and Mississippi Watershed Management Organization (MWMO). See the companion document for a summary of the requirements of these watershed districts and joint powers watershed management organizations.

Of these watershed organizations, BCWMC is the only entity that adopted MIDS in its entirety. Three of the watersheds reviewed adopted similar criteria, but did not specifically reference the MIDS documentation. The other five watersheds reviewed only require treatment of the net new impervious area and used a volume abstraction depth requirement similar to the requirements of MIDS. Seven of the watersheds have a water quality requirement in place in addition to the volume abstraction requirement (similar to the requirements of FTO #2).

(Refer to TAC Concerns 5, 6, 12, and 14) The Engineer recognizes the challenge of installing BMPs in linear corridors. However, many of the same constraints are also present at least to some degree on private sites. Cities could use the opportunity provided by linear projects to demonstrate/pioneer methods to achieve compliance with the requirements. Because off-site treatment is allowed as part of FTO #3, cities could be planning and identifying locations outside of linear corridors and partnering with private landowners or evaluating park and other public spaces to provide larger or more cost-effective treatment.

(Refer to TAC Concern 13) If the BCWMC performance standard required treatment only for new impervious surface on linear projects, three of the eight linear projects reviewed by the BCWMC since the adoption of MIDS would have required treatment. Only two of the three projects created over an acre of new impervious surface, and one of the projects was SWLRT, which is not a typical linear project. For example, the Douglas Drive project in 2015 created 2.26 acres of new impervious area and 18.29 acres of redeveloped impervious area. Requiring treatment for only the new impervious area would result in treatment of 12.4% of the impacted impervious area on the project. For the Douglas Drive project, 1.1 inches of volume reduction from the 2.26 acres of new impervious area is 9,024 cubic feet (0.21 acre-feet) of runoff; 0.55 inches of volume reduction from the entire 20.55 acres of new or reconstructed impervious area is 41,028 cubic feet (0.94 acre-feet) of runoff. For this project, requiring treatment only for the new impervious area would result in 22% of the currently required volume reduction.

(Refer to TAC Concerns 4 and 10) One watershed organization included in the requirements review uses a banking system to provide credit for projects that implement volume reduction above and beyond the required treatment. Financial contribution to a fund or banking credit for treatment provided above and beyond the required treatment may be difficult to manage and has worked with varying degrees of success in a similar application at other entities. Banking credit for treatment above and beyond required treatment may be applicable for treatment provided up to 1.1 inches of runoff from the impervious surfaces; however, treatment beyond 1.1 inches should not receive credit. During development of MIDS, treatment of 1.1 inches of runoff was determined to be the point at which additional treatment results in less effective water quality treatment. Such a banking system should only be implemented if the requirements remain in place that linear projects must provide treatment of 0.55 inches of runoff from all fully reconstructed impervious surfaces, and would apply to linear projects providing more than 0.55 inches of volume reduction, up to 1.1 inches of volume reduction.

(Refer to TAC Concern 2) Chloride contamination is an issue watershed-wide, and the impacts of infiltrating water contaminated with chloride could be further reviewed. While salt is applied to city streets, salt is also applied to parking lots and sidewalks at private developments. Infiltrating runoff from private developments that may be less judicious about the rate and timing of salt application is likely a bigger contributor to chloride contamination than runoff from city streets (on a per acre of imperviousness basis).

(Refer to TAC Concern 11) Sanitary sewer inflow and infiltration should be considered in site designs for both linear projects and private developments. The requirements also allow for treatment to FTO #2 which is based on providing 60% TP treatment, which can be achieved without requiring infiltration in the right-of-way. The use of filtration BMPs or proprietary BMPs designed to treat pollutants can be explored in situations where infiltration cannot/should not be used.

(Refer to TAC Concern 9) The MN Stormwater Manual indicates that the results of efforts to quantify the TP removal provided by street sweeping vary widely. Studies have not been done that monitor the TP concentration of runoff before and after street sweeping. Some tools have been developed based on a study in Prior Lake that estimate the benefits of street sweeping, but this information has not been sufficiently reviewed to provide a recommendation for providing credit toward meeting water quality treatment requirements. Street sweeping is a recommended best management practice; however, it does not appear it can be quantified to provide a specific credit for treatment.

https://stormwater.pca.state.mn.us/index.php?title=Street_sweeping_for_trees

(Refer to TAC Concerns 3 and 8) Any recommended change to the BCWMC requirements needs to be enforceable. While cities do make a “good faith effort” when designing projects to provide water quality treatment and volume abstraction, a requirement with that language is difficult to enforce because it

cannot be quantified if a city could reasonably provide an additional volume of abstraction or additional pollutant removal. Any changes need to have clear, measurable criteria.

(Refer to TAC Concerns 1 and 7) If any changes are made to the current recommendations, the BCWMC should be prepared for developer pushback and requests that the same changes be applied to private developments. The developments face some similar restrictions such as clay soils, high groundwater, contamination, existing utilities or the requirement to tie into adjacent utilities and grades, and a need to maintain an economically profitable site. These sites do not have the limited rights-of-way that linear projects have, and therefore the requests do not necessarily need to be accommodated. However, the Commission should be prepared for comments from developers and the public.

Providing treatment is a matter of funding and opportunity. Road reconstruction projects are likely an opportunity to improve conditions. If improvements are not made during these projects, then it is likely that the Commission or others will need to spend additional funds to implement projects in the future.



Bassett Creek Watershed Management Commission

MEMO

To: Bassett Creek Watershed Management Commissioners
From: BCWMC Technical Advisory Committee
Date: March 8, 2017

RE: Item 5F TAC Recommendations

The BCWMC Technical Advisory Committee met on February 3rd and March 2nd to discuss a variety of topics and forwards the following information and recommendations to the Commission.

TAC Members and Others present:

Liz Stout, Minneapolis (2/3 & 3/2)	Chris Klar, Medicine Lake (2/3)
Jeff Oliver, Golden Valley (2/3 & 3/2)	Tom Dietrich, Minnetonka (2/3)
Eric Eckman (2/3 & 3/2)	Rachael Crabb, MPRB (2/3)
Derek Asche (2/3 & 3/2)	Laura Jester, Administrator (2/3 & 3/2)
Erick Francis, St. Louis Park (2/3 & 3/2)	Karen Chandler, Engineer (2/3 & 3/2)
Richard McCoy, Robbinsdale (2/3 & 3/2)	Jen Koehler, Engineer (2/3)
Megan Albert, New Hope (2/3)	Commissioner Jim Prom (3/2)
Chris Long, New Hope (2/3 & 3/2)	Commissioner Clint Carlson (2/3)
Mark Ray, Crystal (2/3 & 3/2)	Alt. Commissioner Gary Holter (2/3)
Susan Wiese, Medicine Lake (2/3 & 3/2)	Alt. Commissioner John Byrnes (2/3)

1. Channel Maintenance Funds – See materials for 5Fi

At their March meeting the TAC reviewed current balances in the Channel Maintenance Fund by city and considered a request for use of the funds from the City of New Hope (see materials for Item 5Fi). The City of New Hope is seeking approval to use Channel Maintenance Funds for a project to clean out accumulated sediment just downstream of the pipe that discharges into the west end of Northwood Lake, completed in 2016. BCWMC policies state the city should first enter into an agreement with the Commission for use of funds; this is an after-the-fact request and would not include the execution of an agreement. However, the TAC took into consideration that the Commission approved the same project in 2010 but the city did not ultimately seek reimbursement for that work.

RECOMMENDATION: The TAC recommends that the Commission reimburse the City of New Hope for sediment removal from the inlet to Northwood Lake at its west end for a total of \$29,240 (the balance currently in New Hope's Channel Maintenance Fund account).

2. 5-year CIP Project List – See materials for 5Fii

At their February and March meetings, the TAC discussed and considered projects to be included on the 2019 – 2023 CIP list. The TAC received a request and information from representatives with the City of Medicine Lake regarding a potential water quality improvement project within Jevne Park in

the city. Although it is difficult to know the impact of the proposed project and/or if a project is permissible and feasible given existing wetlands and groundwater levels, the TAC felt the project warranted more review through a complete feasibility study and recommended that it be added to the CIP list.

The TAC received a request from the City of Golden Valley to combine BC-2/8 and BC-3 into one large project to begin implementing components of the Medicine Lake Rd and Winnetka Ave (DeCola Ponds) Long Term Flood Mitigation Plan Project. The Commission received a [presentation](#) at their November 2016 meeting regarding this plan that included over \$20M in needed flood mitigation projects.

The TAC also received requests from the City of Plymouth for the addition of up to 3 of 7 projects slated for implementation over the next several years that would benefit BCWMC waterbodies. After further review and discussions, two projects originally slated for implementation within the next five years (SL-11 and 2021CR-M) were moved beyond 2023 to make room for 2 projects in Plymouth. A stormwater treatment system for dissolved phosphorus removal in the Sweeney Lake watershed (SL-11) was moved because more information on internal and external loads in Sweeney Lake will be gathered this summer and it is possible this project may not be needed or should be changed to an alum treatment project.

The Main Stem Channel Restoration, Bassett Creek Dr. to Golden Valley Rd. Project (2021CR-M) was moved in part so the City of Golden Valley could concentrate on implementing BC2,3,8 and BC-10.

In addition to discussing the 5-year CIP list, the TAC recommended that a future TAC discussion should include a review of the overall process of CIP project implementation including 1) a better method for prioritizing and scheduling CIP projects, and 2) assessing the annual levy amount and putting the amount in context with city budgets for stormwater projects.

RECOMMENDATION: The TAC recommends the Commission approve the 5-year CIP list as presented in materials for Item 5Fii.

3. XP-SWMM Phase II

At their February and March meetings, the TAC received more information on the technical aspects of the XP-SWMM model results and began discussing policy implications, communication needs, and areas within the watershed where the new flood elevations should be enforced. Staff from at least six cities will be meeting individually with the Commission Engineer to review technical questions related to their specific cities. The TAC should meet again in May to further discuss how and when to recommend that the Commission adopt the new flood elevations.

NO RECOMMENDATION AT THIS POINT

4. Requirements for Updates to Ordinances and Local Water Management Plans

At their February meeting the TAC received a checklist of items and policies that should be included in city codes (by September) within local water management plans (with comprehensive plans due in 2018). (This [information](#) was also presented at the Commission's January 2017 meeting.)

INFORMATION ONLY, NO RECOMMENDATION



Bassett Creek Watershed Management Commission

Memorandum

To: BCWMC Commissioners
From: Laura Jester, BCWMC Administrator
Subject: Available Channel Maintenance Funds
Date: March 8, 2017

RE: Channel Maintenance Funds Available and Request from New Hope

2017 Available Channel Maintenance Funds

Allocation Formula: (Percent of trunk system) x (\$400,000) = Allocation

City	% Trunk System	Accumulated Funds (over life of fund)	Approved Project	Funds Approved	Funds Reimbursed	Unallocated Accumulated Funds Remaining ¹
Minneapolis	8.23	\$32,920	Supplemental funds for the Bassett Creek Main Stem Restoration Project (CR2012)	\$26,747.50 (Jan 2014)	\$26,747.50 (Nov 2015)	\$6,172.50
Golden Valley	48.99	\$195,960	Sweeney Lake Branch Streambank Stabilization at 215 King Road	\$2,640.00 (2004)	\$2,640.00 (11/2004)	-
			A 2012 stream bank restoration project immediately upstream of St. Croix Avenue, within the Main Stem Reach 1, Subreach 2.	\$82,100.00 (Jan 2012)	\$17,900.00 (Dec 2012) ²	-
			Stabilization along Bassett Creek Main Stem at private residences at 4840 and 4820 Markay Ridge	\$75,000.00 (June 2014)	\$34,747.50 (Feb 2015)	-
			Golden Valley SUBTOTAL	\$159,740.00	\$55,287.50	\$140,672.50
Plymouth	26.42	\$105,680	Channel Maintenance Repairs in the lower reaches of Plymouth Creek	\$50,000.00 (Jan 2005)	\$38,823.35 (Mar 2009)	-
			Plymouth Creek Channel Stabilization/ Sediment Removal downstream of fish barrier	\$45,000.00 (Nov 2008)	No reimbursement request	-
			Plymouth SUBTOTAL	\$95,000.00	\$38,823.35	\$66,856.65

City	% Trunk System	Accumulated Funds (over life of fund)	Approved Project	Funds Approved	Funds Reimbursed	Unallocated Accumulated Funds Remaining ¹
New Hope	7.31	\$29,240	North Branch Channel Excavation Project	\$18,100.00 (Nov 2008)	No reimbursement request	
			Northwood West Inlet Cleaning	\$16,448.00 (Jan 2010)	No reimbursement request	
			Northwood Wetland Cleaning	\$75,000 - \$200,000 (Nov 2010)	No reimbursement request	
			New Hope SUBTOTAL	\$109,548 - \$234,458	\$0	\$29,240
Crystal	9.05	\$36,200	North Branch Bassett Creek Erosion Repair Project	\$31,675.00 (Nov 2015)	Reimbursement not yet requested	\$4,525
TOTAL	100.00	\$400,000				\$241,294.15

¹ Unallocated accumulated funds = accumulated funds – total funds reimbursed



Stantec Consulting Services Inc.
2335 Highway 36 West
St. Paul MN 55113
Tel: (651) 636-4600
Fax: (651) 636-1311

February 23, 2017
File: 193802816

Attention: Laura Jester
Keystone Waters, LLC
BCWMC Administrator
16145 Hillcrest Lane
Eden Prairie, MN 55346

Reference: Northwood Lake Improvements – Channel Maintenance Fund Request
City Project No.: 938, 967, 974

Dear Laura,

The City of New Hope respectfully requests Channel Maintenance Funds for the removal of excess sediment from the Northwood Lake west outlet in 2016. The remaining BCWMC balance of **\$29,240** is requested to fund most the work completed to remove the sediment.

Project Description

A significant amount of sediment has accumulated near the end of the 66" pipe west outlet to Northwood Lake (see photos below). This project involved the excavation of excess sediment to restore wet volume and flood storage to the lake, and improve flow by removing the material that may impede flows under current conditions. The contractor removed 550 CY of sediment as part of this project, which amounted to \$32,312.50 (see attached Pay Request #4). The attached plan sheet shows the approximate location of the removed sediment from Northwood Lake.

A similar project was previously approved for Channel Maintenance Funding in January of 2010. The project in 2010 removed 363 CY of excess material from the same outlet area as the 2016 project. As supporting documentation is not readily available for the 2010 work, the request for Channel Maintenance Funds is for the work completed in 2016.

Photo to the right shows Northdale Construction Company removing the excess sediment.





February 23, 2017
Ms. Laura Jester
Page 2 of 2

Reference: Northwood Lake Improvements – Channel Maintenance Fund Request



Photo above shows excess sediment from 2016 aerial image, prior to construction.

If you have any questions or require further information, please call me at (651)604-4808.

Sincerely,

STANTEC

Christopher W. Long, P.E.

Attachments: Signed Pay Request #4; Plan Sheet C5.02 Redlined

Cc: Bernie Weber, Megan Albert, Shawn Markham – New Hope; Kellie Schlegel, Ann Dienhart, Adam Martinson – Stantec.

TAC Recommended BCWMC Capital Improvement Program 2019 – 2023

(Underlined/struck text = additions/deletions from 2018-2022 list)

Item 5Fii.
BCWMC 3-16-17

Project Name	City	Number	2016	2017	2018	2019	2020	2021	2022	2023	Totals
Honeywell Pond Expansion, Main Stem Watershed	GV	BC-4	\$1,202,000								\$1,202,000
Northwood Lake Improvement Project: Construct pond upstream of lake & install underground stormwater treatment and reuse system and bioinfiltration cells ^a	NH	NL-1	\$676,000	\$964,000 \$1,093,070							\$1,640,000 \$1,769,070
Main Stem Channel Restoration, Cedar Lake Road to Irving Ave	MPLS	2017CR-M		\$400,000	\$400,000 \$664,472						\$800,000 \$1,064,472
Plymouth Creek Restoration, from Annapolis Lane to 2,500 feet upstream (west) of Annapolis Lane	Plymouth	2017CR-P		\$710,000 \$580,930	\$150,000 \$282,643						\$860,000 \$863,573
Water Quality Improvement Site, Main Stem Watershed	GV	BC-3				\$300,000	\$800,000				\$1,100,000
Sandburg Rd and Louisiana Ave. Water Quality Improvement and Flood Reduction Project, Main Stem Watershed	GV	BC-2/BC-8				\$201,000	\$300,000				\$501,000
Medicine Lake Rd and Winnetka Ave Long Term Flood Mitigation Plan Project	GV, Crystal, New Hope	BC-2,3,8				<u>\$500,000</u>	<u>\$1,100,000</u>				<u>\$1,600,000</u>
Water quality improvements in Bryn Mawr Meadows, Main Stem Watershed	MPLS	BC-5				\$500,000					\$500,000
Medley Park Stormwater Treatment Facility	GV	ML-12					\$100,000	\$400,000	<u>\$200,000</u>	<u>\$300,000</u>	\$500,000
Restoration and stabilization of historic Bassett Cr channel, Main Stem Watershed	MPLS	BC-9							\$500,000		\$500,000
Main Stem Channel Restoration, Bassett Creek Dr. to Golden Valley Rd. (move to 2024-2025)	GV	2021CR-M						\$100,000	\$400,000		\$500,000
Stormwater treatment system for dissolved phosphorus removal, Sweeney Lake watershed (move beyond 2023)	GV	SL-11						\$400,000			\$400,000
<u>Mt. Olivet Stream Restoration Project</u>	<u>PLYM</u>	<u>ML-14</u>						<u>\$400,000</u>			<u>\$400,000</u>
Dredging of accumulated sediment in Main Stem Bassett Creek just north of Hwy 55, Wirth Park	GV/MPLS	BC-7						\$400,000			\$400,000
DeCola Ponds & Medicine Lk Rd Subwatershed Flood Reduction Project <u>Medicine Lake Rd and Winnetka Ave Long Term Flood Mitigation Plan Project</u>	Crystal, GV, or New Hope	BC-10							\$300,000	\$1,000,000	\$1,300,000
Bassett Creek Park Pond Dredging	Crystal	BCP-2			\$800,000 \$1,000,000						\$800,000 \$1,000,000
Westwood Lake Water Quality Improvement Project	St. Louis Park	WST-2				\$250,000 \$300,000					\$250,000 \$300,000
<u>Stormwater Pond in Jevne Park to alleviate flooding/improve water</u>	<u>Medicine Lake</u>	<u>ML-13</u>					<u>\$200,000</u>	<u>\$300,000</u>			<u>\$500,000</u>
<u>Parkers Lake Drainage Improvement Project</u>	<u>Plymouth</u>	<u>PL-7</u>						<u>\$200,000</u>	<u>\$200,000</u>		<u>\$400,000</u>
TOTAL Estimated Project Cost			\$1,878,000	\$2,074,000	\$1,350,000 \$1,947,115	\$1,300,000	\$1,300,000	\$1,300,000	\$1,200,000	\$1,300,000	\$12,299,115
City Contribute (\$450,000 for BC-4 + \$276,400 for NL-1)			-\$450,000	-\$276,400	-\$0	-\$0	-\$0	-\$0	-\$0	-\$0	-\$726,400
Grants Received ^b			-\$206,000	-\$494,000	-\$600,300						-\$1,300,300
Estimated Levy ^c			\$1,222,000	\$1,303,600	\$1,350,000 \$1,346,815	\$1,300,000	\$1,300,000	\$1,300,000	\$1,200,000	\$1,300,000	\$10,272,415

All project costs are estimates and are presented in 2016 dollars
^a NL-1 costs increased due to higher construction bids and reflects 2/18/16 action by Commission
^b \$300,000 MPCA Clean Water Partnership grant + \$400,000 BWSR Clean Water Fund grant for NL-1 (2016 and 2017); \$450,000 for 2017CR-P (2018) + \$150,300 for 2017CR-M (2018)
^c Levy amount for 2016 and 2017are actual figures

Project Category: Flood Reduction

Project Title: **Medicine Lake Road and Winnetka Avenue Long Term Flood Mitigation Plan Project**

Total Estimated Cost: \$1,600,000

BCWMC Project Number: BC-2, 3, 8

Description:

Implementation of the Medicine Lake Road and Winnetka Avenue Long Term Flood Mitigation Plan Study prepared for the cities of Crystal, Golden Valley, and New Hope. Potential projects in this area include rate control facilities with potential water quality features, structural flood proofing and other projects as determined.

Source of Project Funding	2017	2018	2019	2020	2021
CIP Account – BCWMC ad valorem tax levy through Hennepin County			\$500,000	\$1,100,000	

Justification:

The Medicine Lake Road and Winnetka Avenue Flood Mitigation Plan Study identified over \$22M in projects that are needed to reduce the effect of repeat flooding on the roadway and adjacent properties. Identified projects will reduce the depth of flooding on the roadways and will lower flood elevations to help protect structures from flood damage. Flood damage reduction and improving water quality in Bassett Creek are consistent with BCWMC goals.

Scheduling and Project Status:

A Feasibility Study will need to be prepared for this project.

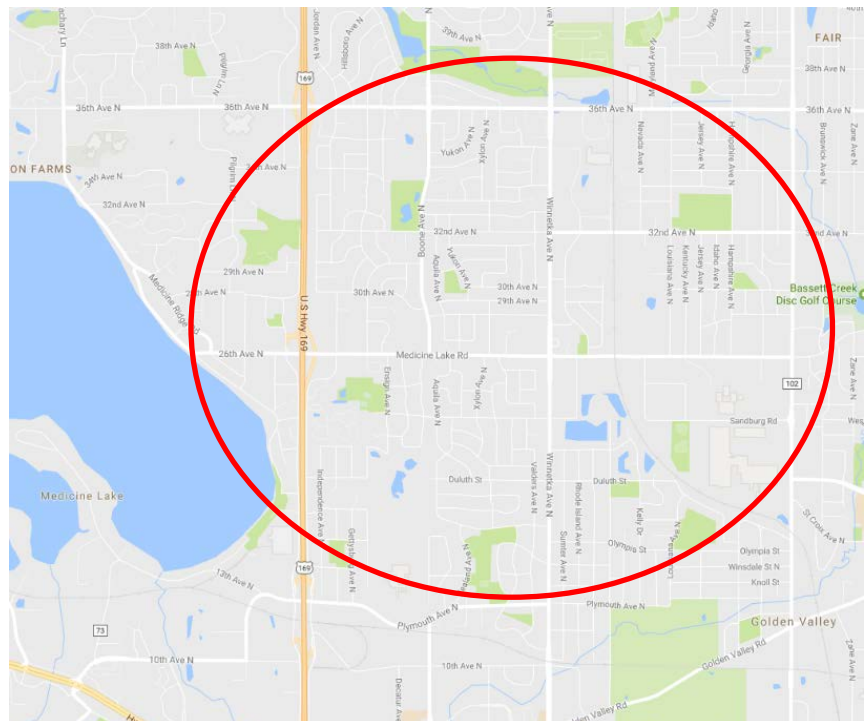
Relationship to BCWMC Plan and Other Projects:

This project is consistent with the goals and policies of the BCWMC Watershed Management Plan. It meets the “gatekeeper” criteria (policy 110) of addressing flooding concerns, and may also improve water quality in a priority waterbody (Bassett Creek). This project also meets the additional criteria (policy 110): addresses an intercommunity drainage issue, the tributary sub watershed includes more than one community, and it addresses significant infrastructure or property damage concerns. The project is one of many that have been identified in the Medicine Lake Road and Winnetka Avenue Long Term Flood Mitigation Plan.

This project is one of many that will work to reduce flooding on Medicine Lake Road and adjacent properties as well as increase water quality entering Bassett Creek.

Effect on Annual Operations Costs:

This project has no effect on BCWMC Annual Operations Costs.



Project Category: Water Quality

Project Title: Bryn Mawr Meadows Water Quality Improvement Site, Minneapolis

Total Estimated Cost: \$500,000

Project Number: BC-5

Description:

This project was described as Option 7 in the Bassett Creek Main Stem Watershed Management Plan (June 2000). The project consists of the construction of a new stormwater Best Management Practice (BMP) in a park near the intersection of Morgan Ave and Laurel Ave, in the City of Minneapolis.

Source of Project Funding	2017	2018	2019	2020	2021
CIP account – BCWMC ad valorem levy through Hennepin County			\$500,000		

Justification:

As described in 2000, the BMP would treat runoff from 209 acres of land and would remove an estimated 22 lbs. of phosphorus per year, on average.

Scheduling and Project Status:

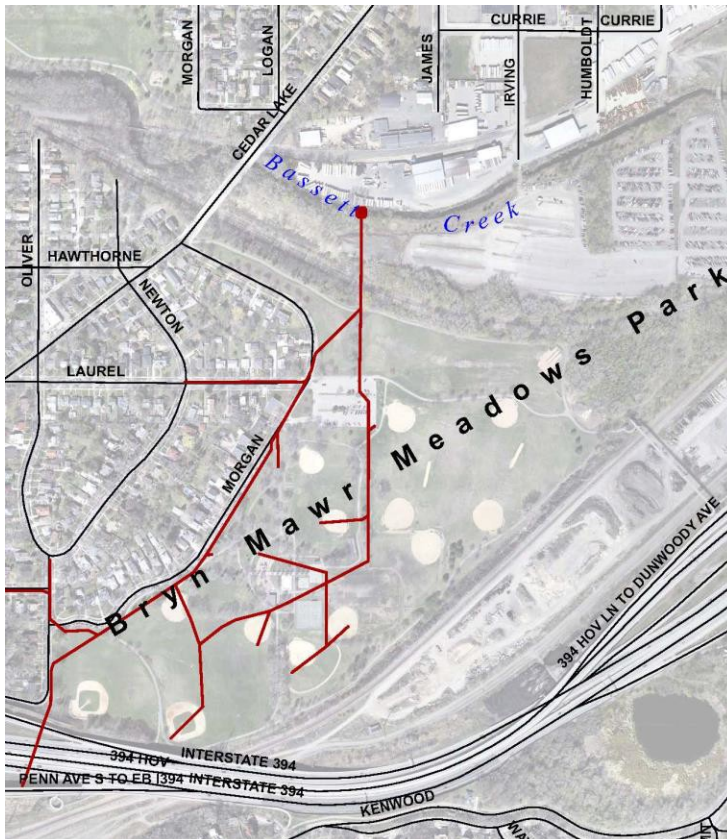
A feasibility study will need to be prepared for this project. As the project progresses, additional information will be provided.

Relationship to General Plan and Other Projects:

This project is consistent with the goals and policies of the BCWMC Watershed Management Plan and is included in the BCWMC's Resource Management Plan.

Effect on Annual Operations Costs:

Not known at this time. This will be identified in the Feasibility Study.



Project Category: Water Quality/Flood Reduction

Project Title: **Medley Park Stormwater Quality Treatment Facility**

Total Estimated Cost: \$500,000

BCWMC Project Number: ML-12

Description:

This project in the City of Golden Valley will include construction of a storm water treatment pond or similar treatment facility. The BMP will be built in the City's Medley Park, the facility will treat storm water and create flood storage. The park currently has poor soils which is not conducive to recreational programming.

Source of Project Funding	2020	2021	2022	2023	2024
CIP Account – BCWMC ad valorem tax levy through Hennepin County			\$200,000	\$300,000	

Justification:

Storm water runoff from the roughly 100 acre watershed in the northwest section of Golden Valley currently flows into ponds on the western side of Medley Park. The proposed storm water quality treatment facility would add flood storage and treatment capabilities to the sub watershed. It would also increase the capacities of the downstream ponds to remove solids and phosphorous upstream of Medicine Lake. The proposed facility would help achieve the goals of the Medicine Lake TMDL.

Scheduling and Project Status:

A Feasibility Study will need to be prepared for this project.

Relationship to BCWMC Plan and Other Projects:

This project is consistent with the goals and policies of the BCWMC Watershed Management Plan. It meets the "gatekeeper" criteria (policy 110) of addressing flooding concerns, and would also improve water quality in a priority waterbody (Medicine Lake). The project is also included in the City of Golden Valley CIP

Effect on Annual Operations Costs:

This project has no effect on BCWMC Annual Operations Costs.



Project Category: Channel Restoration

Project Title: Restoration & Stabilization of Historic Bassett Creek Channel

Total Estimated Cost: \$500,000

BCWMC Project Number: BC-9

Description:

This project in the City of Minneapolis will include bank stabilization and erosion repair methods and will remove obstructions as necessary. The project aims to mitigate impacts from flooding. It's believed that work associated with the Bottineau Light Rail Line will make most of the necessary repairs, however this work proposed for 2020-2021 may also be needed.

Source of Project Funding	2018	2019	2020	2021	2022
CIP Account – BWCMC ad valorem tax levy through Hennepin County					\$500,000

Justification:

This portion of the Main Stem of Bassett Creek was cut off from the current main channel in the 1940s-50s when Highway 55 was constructed but remains part of the BCWMC Trunk System. Flows from the current main stem channel sometimes overflow into this area causing localized flooding and extreme sedimentation, along with trash and debris. There is damage to retaining walls and storm outlet structures. The City of Minneapolis cleaned up the area in 2015. Changes for the LRT project are likely to address the structural damage. This project is a placeholder in anticipation of remaining remediation after the LRT project has been constructed.

Scheduling and Project Status:

A Feasibility Study should be completed in 2021. This project is anticipated for construction during the winter of 2022 - 2023.

Relationship to General Plan and Other Projects:

This project is consistent with the goals and policies of the 2015 BCWMC Watershed Management Plan.

Effect on Annual Operations Costs:

This project has no effect on BCWMC Annual Operations Costs.



Project Category: Water Quality/Water Capacity

Project Title: **Mount Olivet Stream Restoration**

Total Estimated Cost: \$400,000

BCWMC Project Number: ML-14

Description:

This project in the city of Plymouth will reduce erosion, total suspended solids, and phosphorous loading to Medicine Lake, a State listed impaired water with an approved total maximum daily load plan, and a Priority 1 water body of the Bassett Creek Watershed.

Source of Project Funding	2018	2019	2020	2021	2022
CIP Account – BCWMC ad valorem tax levy through Hennepin County				\$400,000	

Justification:

This project meets two gatekeeper criteria including improving/protecting water quality in a priority water body and addressing an approved TMDL. In addition to gatekeeper criteria, this project also protects previous investments in Medicine Lake by the Commission, addresses erosion and sedimentation issues, and addresses multiple Commission goals of improved water quality, aesthetics, and wildlife habitat.

Scheduling and Project Status:

This project will require a feasibility study to begin in 2019.

Relationship to BCWMC Plan and Other Projects:

Medicine Lake is regarded as a Priority 1 Deep Lake and receives surface water runoff from Plymouth, Golden Valley, New Hope, Minnetonka, and Medicine Lake. Capital Improvement partnerships between Plymouth and the Commission to the benefit of Medicine Lake include:

1. East Medicine Lake Water Quality Ponds (1)
2. West Medicine Lake Water Quality Ponds (2)
3. Plymouth Creek Stream Restoration (Medicine Lake to ~26th Ave.) (3)

In addition, the City of Plymouth has completed additional capital improvements:

- A. Wood Creek Stream Restoration (A)
- B. Timber Creek Erosion Repair (Phase I & II) (B)
- C. County Roads 9/61 Stream Restoration in partnership with TRPD and BWSR. (C)

Effect on Annual Operations Costs:

This project has no effect on BCWMC Annual Operations Costs.



Project Category: Water Quality

Project Title: Dredging Accumulated Sediment In Main Stem Bassett Creek, Wirth Park

Total Estimated Cost: \$400,000

BCWMC Project Number: BC-7

Description:

This project in Theodore Wirth Park in the city of Golden Valley consists of dredging sediment that has accumulated over decades within the Main Stem of Bassett Creek just north of Hwy 55. During the winter (on frozen ground), equipment such as backhoes will be used to remove sediment within the channel. The removal of sediment improves stream flow and habitat, will reduce in-stream erosion and will improve stream water quality.

Source of Project Funding	2017	2018	2019	2020	2021
CIP Account – BWCMC ad valorem tax levy through Hennepin County					\$400,000

Justification:

The removal of accumulated sediment will improve stream flow and reduce in-stream erosion, ultimately improving stream water quality. Additionally, habitat for fish and macroinvertebrates in the stream should improve as layers of sediment are removed, possibly exposing rock or cobble for spawning beds and interstitial micro-habitats.

Scheduling and Project Status:

A Feasibility Study should begin on or about April 1, 2020. Project implementation is anticipated during the winter 2021 - 2022.

Relationship to General Plan and Other Projects:

This project is consistent with the goals and policies of the 2015 BWCMC Watershed Management Plan.

Effect on Annual Operations Costs:

This project has no effect on BCWMC Annual Operations Costs.

Project Category: Flood Reduction

Project Title: **Medicine Lake Road and Winnetka Avenue Long Term Flood Mitigation Plan**

Total Estimated Cost: \$1,300,000

BCWMC Project Number: BC-10

Description:

Implementation of the Medicine Lake Road and Winnetka Avenue Flood Mitigation Plan Study prepared for the cities of Crystal, Golden Valley, and New Hope. Potential projects in this area include rate control facilities with potential water quality features, structural flood proofing and other projects as determined.

Source of Project Funding	2019	2020	2021	2022	2023
CIP Account – BCWMC ad valorem tax levy through Hennepin County				\$300,000	\$1,000,000

Justification:

The Medicine Lake Road and Winnetka Avenue Flood Mitigation Plan Study identified over \$22M in projects that are needed to reduce the effect of repeat flooding on the roadway and adjacent properties. Identified projects will reduce the depth of flooding on the roadways and will lower flood elevations to help protect structures from flood damage. Flood damage reduction and improving water quality in Bassett Creek are consistent with BCWMC goals.

Scheduling and Project Status:

A Feasibility Study will need to be prepared for this project.

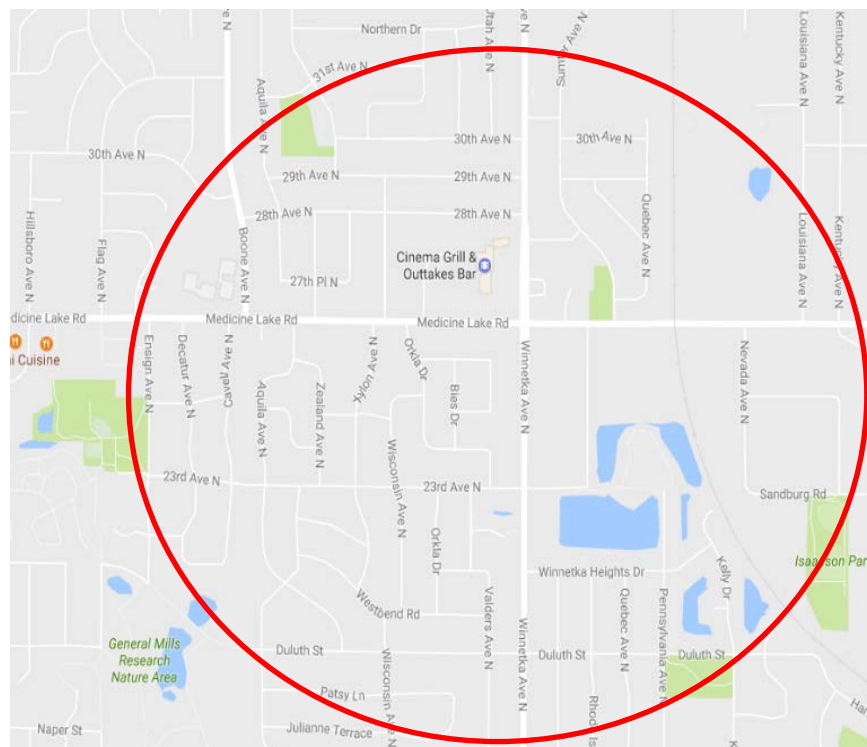
Relationship to BCWMC Plan and Other Projects:

This project is consistent with the goals and policies of the BCWMC Watershed Management Plan. It meets the “gatekeeper” criteria (policy 110) of addressing flooding concerns, and may also improve water quality in a priority waterbody (Bassett Creek). This project also meets the additional criteria (policy 110): addresses an intercommunity drainage issue, the tributary sub watershed includes more than one community, and it addresses significant infrastructure or property damage concerns. The project is one of many that have been identified in the Medicine Lake Road and Winnetka Avenue Long Term Flood Mitigation Plan.

This project is one of many that will work to reduce flooding on Medicine Lake Road and adjacent properties as well as increase water quality entering Bassett Creek.

Effect on Annual Operations Costs:

This project has no effect on BCWMC Annual Operations Costs.



Project Category: Water Quality

Project Title: Westwood Nature Center Water Quality Improvement Project

Total Estimated Cost: \$300,000

BCWMC Project Number: 2019-WST-2

Description:

The Westwood Hills Nature Center is in the planning phase of a complete reconstruction of its facilities in 2019. These improvements include a proposed LEED Certified building and other improvements. As part of this project, the city is proposing additional water quality improvement, which may include a pervious paver parking lot, which would eliminate runoff from the existing parking area, improvements to the existing stormwater pond, adjacent to the parking lot, or a vegetation management and stabilization project for the outlet channel. Further information will be available once the plans for the new building are developed and the budget and scope of the project are refined.

Source of Project Funding	2017	2018	2019	2020	2021
CIP Account – BWCMC ad valorem tax levy through Hennepin County			\$300,000		

Justification:

This project will improve the water quality and recreational suitability of Westwood Lake and Bassett Creek by removing sediment and pollutants from storm water runoff generated by the surrounding impervious road surfaces.

Scheduling and Project Status:

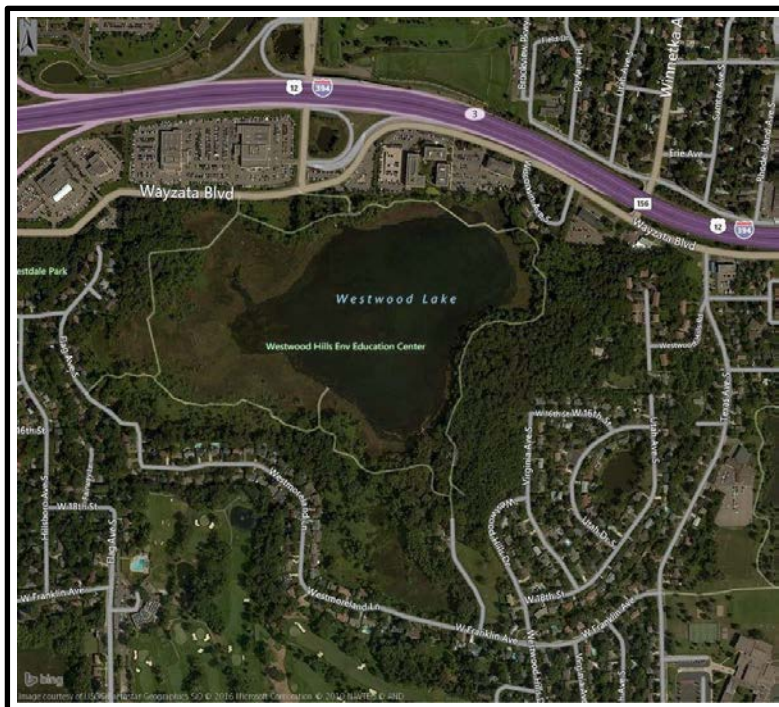
A Feasibility Study should be completed on or about April 1, 2018. This project is anticipated for construction during the summer of 2019.

Relationship to General Plan and Other Projects:

This project is consistent with the goals and policies of the 2015 BWCMC Watershed Management Plan. However, this project is not included in the Plan's Capital Improvement Program and may require a Plan Amendment.

Effect on Annual Operations Costs:

This project has no effect on BCWMC Annual Operations Costs.



Project Category: Water Quality/Water Capacity

Project Title: Water Retention Pond in Medicine Lake's Jevne Park

Total Estimated Cost: \$500,000

BCWMC Project Number: ML-13

Description:

This project in the City of Medicine Lake will increase the capacity of an existing pond and wetlands located within the city's Jevne Park to collect and store stormwater runoff during heavy rainfall to improve the water quality of Medicine Lake and reduce flooding of properties.

Source of Project Funding	2019	2020	2021	2022	2023
CIP Account –BCWMC ad valorem tax levy through Hennepin County		\$200,000	\$300,000		

Justification:

As the city of Medicine Lake is nearly surrounded by Medicine Lake, maintaining and improving the quality of the lake itself is paramount. **IMPORTANT:** When Medicine Lake levels are abnormally high, water from the lake flows back onto the peninsula. *This project does not seek to remedy backflow.* Rather, the construction of an improved water retention pond in Jevne Park will result in:

- better management of storm water runoff as the city has no municipal storm sewer system
- increased capacity for stormwater storage within the pre-existing natural pond and swale in Jevne Park
- better way to route, carry and store excess stormwater which can minimize flooding within Jevne Park and on adjacent residential properties (approximately 15)
- reduced sediment and phosphorus loading to Medicine Lake therefore *improved water quality of Medicine Lake*
- reduced city of Medicine Lake capital and maintenance expenditures associated with road and culvert repair caused by excessive volumes and rates of runoff
- sustainability of existing waterfowl and wildlife habitats

Project Specifications & Estimated Cost: \$284,250

The improved and reclaimed water retention pond envisioned for Jevne Park mirrors the three already-functioning holding ponds in Plymouth located on the West Beach, the East Beach and near the At-the-Lake Apartments. At this time, possible wetland impacts resulting from the project and groundwater levels are unknown. There are many technical aspects of a potential project that need study. A future feasibility study will determine what, if any project can be located with the park to improve water quality and reduce flooding of roads and properties.



Image 1) Medicine Lake plat map and Jevne Park delineation
Image 2) Aerial view of Medicine Lake, Jevne Park. Blue = probable wetland. Yellow = potential wetland.
 SOURCE: Hennepin County GIS Interactive Maps, Natural Resources division.

Project Category: Water Quality/Water Capacity

Project Title: **Parkers Lake Drainage Improvement**

Total Estimated Cost: \$400,000

BCWMC Project Number: PL-7

Description:

This project in the city of Plymouth will reduce erosion, total suspended solids, and phosphorous loading to Parkers Lake, a Priority 1 water body of the Bassett Creek Watershed.

Source of Project Funding	2018	2019	2020	2021	2022
CIP Account – BCWMC ad valorem tax levy through Hennepin County				\$200,000	\$200,000

Justification:

This project meets the gatekeeper criteria of improving/protecting water quality in a priority water body and will help protect water quality in Parkers Lake. In addition to gatekeeper criteria, this project also enhances previous investments intended to protect Parkers Lake by the Commission as well as addressing erosion/sedimentation issues and the Commission goals of improved water quality, aesthetics, and wildlife habitat.

Scheduling and Project Status:

This project will require a feasibility study to begin in 2019.

Relationship to BCWMC Plan and Other Projects:

Parkers Lake is the second largest lake in the Bassett Creek Watershed and is regarded as a Priority 1 Deep Lake. Parkers receives surface water runoff from Plymouth and small portion of Minnetonka and eventually drains to Medicine Lake. Previous capital improvement partnerships between Plymouth and the Commission to the benefit of Parkers Lake include:

1. Circle Park Pond Improvement
- In addition, the City of Plymouth has completed additional capital improvements:
- A. Parkers Lake Rock Weir
 - B. South Parkers Lake Tributary Stream Restoration
 - C. 9th & Niagara Stream Restoration

Effect on Annual Operations Costs:

This project has no effect on BCWMC Annual Operations Costs.



Memorandum

To: Bassett Creek Water Management Commission
From: Barr Engineering Co.
Subject: Item 5G – Consider Adding Sediment Monitoring to Sweeney Lake Aeration Study
Date: March 8, 2017
Project: 23270051.38 AER 001

Recommendation

1. Consider approval for the Commission Engineer to conduct sediment sampling on Sweeney Lake, as an addition to the Sweeney Lake Aeration Study, at an additional cost not to exceed \$3,000.
2. If the Commission approves the sediment sampling, the Commission Engineer recommends that the additional funds come from the 2017 Surveys and Studies budget.

Background

A preliminary meeting in January with Sweeney Lake Association members, Golden Valley staff, Golden Valley commissioners and the administrator to discuss the aeration study generated a question about whether lake sediment monitoring would be conducted. While sediment monitoring was not viewed as a requirement, and thus was not included in the initial work scope for the aeration study, this memo presents the benefits of sediment monitoring and why the Commission Engineer recommends that the Commission fund this additional data collection for the aeration study.

The sediment monitoring would improve confidence in the study results and the reliability of study, but would not be a requirement for modeling Sweeney Lake. However, collecting sediment monitoring data from Sweeney Lake would be helpful for the following reasons:

- **Develop more-refined costs for potential improvement options identified in the study**—the cost to complete improvements, such as changes to the aeration system or a future alum treatment, can be based on the actual amount of “releasable phosphorus” in the sediment which would result in a more-refined conceptual design and associated cost estimate for each improvement option.
- **Better inform the aeration study modeling**—without sediment monitoring data, we would estimate the internal phosphorus load from lake monitoring data, as was previously done to evaluate aeration for the TMDL study. The sediment monitoring data allows us to determine the actual amount of “releasable phosphorus” in the sediment and better account for the internal phosphorus loading potential under all conditions.

To: Bassett Creek Water Management Commission
From: Barr Engineering Co.
Subject: Item 5G – Consider Adding Sediment Monitoring to Sweeney Lake Aeration Study
Date: March 8, 2017
Page: 2

- **There are significant cost savings in performing the sediment monitoring at this time**—as a part of the Commission Engineer’s current work scope, Barr staff will already be on the lake collecting a mid-May lake water sample. Collecting sediment data at the same time would eliminate field and travel costs for the extra data collection. If sediment monitoring were to be performed outside of this study it would cost two or three times more than the estimated \$3,000 needed to perform the work now.
- **The results of sediment monitoring will be incorporated into the Sweeney Aeration Study Report**—there will not be additional costs to report on the results of the sediment monitoring as the sediment phosphorus concentrations will be plotted and shown (graphically) in a report appendix.

DRAFT 2017 BCWMC Education and Outreach Budget and Work Plan					
	Activity	Amount in 2017 Budget	Committee Recommended Amount	Notes	Websites
1	Publications/Annual Report	\$2,500	\$2,500	To develop and distribute the Commission's Annual Report, as required by State Rule .	
2	Website Hosting/Maintenance	\$4,400	\$4,123	For website hosting and maintenance by HDR. 2016 contract with HDR estimates \$4,420. (\$360 for hosting + 3 hrs/month for labor, as needed)	
	Subtotal	\$6,900	\$6,623		
3	Watershed Education Partnerships				
	a. Citizen Assisted Monitoring Program	\$5,000	\$4,600	This program through the Met Council sponsors volunteer monitors on several BCWMC lakes. The BCWMC has spent an average of \$3,440/year. Spending be \$4,600 if volunteers collect all possible samples.	
	b. River Watch Program	\$2,000	\$2,000	BCWMC has sponsored this program coordinated by Hennepin County for many years. High school students collected water quality data on local creeks. The 2016 Report is available online.	http://www.hennepin.us/media/hennepinus/business/work-with-hennepin-county/documents/river-watch-report.pdf?la=en
	c. MetroWaterShed Partners	\$3,500	\$3,500	BCWMC provides funding to support the Clean Water MN Media Campaign. Watershed organizations our size are asked to contribut between \$3,000 and \$5,000.	http://www.cleanwatermn.org/
	d. Children's Water Festival	\$350	\$350	For the last three years, BCWMC has donated \$350 to this event that targets 4th graders throughout the Metro. Same amount is recommended again this year.	
	e. Metro Blooms Workshops	\$3,000	\$3,000	The BCWMC has included funding for these workshops each year for several years. Workshops are geared toward planting resilient yards including alternative turf, raingardens, and native plants. BCWMC cities coordinate with Metro Blooms to schedule an event. Three BCWMC cities already have workshops scheduled.	http://metroblooms.org/events/list/
	Subtotal Water Ed Partnerships	\$15,500	\$13,450		
4	Education and Public Outreach				
	a. West Metro Water Alliance	\$9,750	\$9,750	Contract approved by BCWMC 2/19/15. Administrator attends monthly WMWA meetings and is involved with this organization and its activities.	http://www.westmetrowateralliance.org/
	b. Prairie Moon Native Seeds	\$0	\$110	Already purchased for 2017 events as we've done for several years.	
	c. Plymouth Home Expo Booth	\$0	\$60	Exhibit will be manned by Commissioners or volunteers only. The BCWMC booth will be next to WMWA partners Elm Creek and Shingle Creek WMC's.	http://www.plymouthmn.gov/Home/Components/Calendar/Event/6427/271
	d. Training for Commissioners (registrations, fees)	\$0	\$1,400	Funding for reimbursement of registration fees for Commissioners, Alt. Commissioners, or Committee members to attend workshops, trainings, and other events. Pre-approval from the Commission is required for each expenditure and funds are used to reimburse individuals with proper receipts and documentation. Typically, meals, travel expenses or other expenses are not allowed for reimbursement. Funds are distributed on a first come, first serve basis until depleted. Committee recommends approving requests from Commissioners and CAMP volunteers to attend DNR's AIS Detection Certification Course.	

Continued on back

	Activity	Amount in 2017 Budget	Committee Recommended Amount	Notes	Websites
	e. Metro Blooms Harrison Neighborhood Project Support	\$0	\$4,000	At the December 2015 Commission meeting, Metro Blooms requested support for a large project to engage youth and install small BMPs in alleyways in the Harrison Neighborhood. Since then, the Commission has supported several grant applications and has received grants from the Met Council and BWSR for this project. The Commission provided \$4,000 in 2016 as match for the grants. The same amount is requested for this year (and is already included in a grant work plan).	
	f. Purchase of 150 dog waste bag dispensers	\$0	\$300	In 2015 and 2016 the Commission purchased 150 dog waste bag dispensers to use as giveaways at events. They were a very popular item and we ran out in the fall.	
	g. Parking Lot and Sidewalk Winter Maintenance Training	\$0	\$1,080	Placeholder for possible hosting of "Parking Lot and Sidewalk Winter Maintenance Workshop" targeting private winter maintenance contractors and property managers. Committee will review additional information at its April 24th meeting.	
	h. Purchase "Pledge to Plant" banner; final piece of new educational display materials	\$0	\$300	The committee reviewed a banner developed as part of the new educational display materials. The banner features cartoon characters with cutouts for faces. It will be used to draw young people into a display booth and hopefully result in photos being posted on social media.	
	Subtotal Education & Public Outreach	\$20,000	\$17,000		
5	Public Communications	\$2,500	\$2,500	This budgeted amount is for required announcements and public notices.	
	TOTAL ASSIGNED	\$44,900	\$39,573		
6	Unassigned Education Funds	\$5,327		This is the difference between the already budgeted amount of \$44,900 and total amount of existing and recommended items above (\$39,573). The committee will consider various projects, programs, or purchases for 2017 to utilize these funds.	



Bassett Creek Watershed Management Commission

MEMO

Date: March 8, 2017
From: Laura Jester, Administrator
To: BCWMC Commissioners
RE: **Administrator's Report**

Aside from this month's agenda items, the Commission Engineers, city staff, committee members, and I continue to work on the following Commission projects and issues.

CIP Projects (more resources at <http://www.bassettcreekwmo.org/projects.>)

2017 Plymouth Creek Restoration Project, Annapolis Lane to 2,500 feet Upstream (2017CR-P) (See items 4F and 4G): The final feasibility study is available online at <http://www.bassettcreekwmo.org/index.php?cid=284>. The Hennepin County Board approved the 2017 maximum levy request at their meeting on July 28th. At the September meeting, the Commission held a public hearing on the project and adopted a resolution ordering the project and certifying a final levy to Hennepin County. Also at that meeting, the Commission entered an agreement with the City of Plymouth to design and construct the project. At their meeting on October 11th, the city council approved the agreement. The BCWMC recently received a \$400,000 Clean Water Fund grant from BWSR and a \$50,000 Opportunity Grant from Hennepin County for this project. Agreements are ready for execution (Items 4F and 4G) and workplans for the CWF grant is near completion. Subgrant agreements with the City will be developed. The City contracted with Wenck Associates to design the project. Surveys and tree inventories were recently completed. The project is slated for construction next winter.

2017 Main Stem Bassett Creek Streambank Erosion Repair Project (2017CR-M)(See Item 4E): The feasibility study for this project was approved at the April Commission meeting and the final document is available on the project page at: <http://www.bassettcreekwmo.org/index.php?cid=281>. A Response Action Plan to address contaminated soils in the project area was completed by Barr Engineering with funding from Hennepin County and was reviewed and approved by the MPCA. The County Board approved the 2017 maximum levy request at their meeting on July 28th. At the September meeting, the Commission held a public hearing on the project and adopted a resolution ordering the project and certifying a final levy to Hennepin County. Also at that meeting, the Commission entered an agreement with the City of Minneapolis to design and construct the project. The Commission was awarded an Environmental Response Fund grant from Hennepin County for \$150,300. A grant agreement is ready for execution (see Item 4E). A subgrant agreement with the City will be developed. The City recently received a proposal from Barr Engineering to design and construct the project.

2013 Four Season Area Water Quality Project (NL-2): At their meeting in December, the Commission took action to contribute up to \$830,000 of Four Seasons CIP funds for stormwater management at the Agora development on the old Four Seasons Mall location. At their January 2017 meeting, the Commission took action directing staff to enter an agreement directly with the developer, Rock Hill Management. At their February meeting the Commission approved an agreement with Rock Hill Management and an agreement with the City of Plymouth allowing the developer access to a city-owned parcel to construct a wetland restoration project and to ensure ongoing maintenance of the CIP project components.

2014 Schaper Pond Diversion Project, Golden Valley (SL-3): In August, the Commission Engineer reported that the structure had been vandalized and repair was needed. The City executed a change order with Sunram

Construction (the contractor for the project) to add weights to some of the baffle anchors. The weights will provide more support against wind loading on the baffle. Ice formed on the pond before the contractor could perform the work. The contractor performed more seeding in the two access areas, which improved vegetation coverage, but more coverage is required to achieve final stabilization. The contractor will be onsite after ice out to add weights to the baffle anchors and complete final establishment of seed later this year. Erosion control will be removed once the final stabilization is completed. Effectiveness monitoring by the Commission Engineer will begin in June.

2014 Twin Lake In-lake Alum Treatment, Golden Valley (TW-2): (No update since January.) At their March 2015 meeting, the Commission approved the project specifications and directed the city to finalize specifications and solicit bids for the project. The contract was awarded to HAB Aquatic Solutions. The alum treatment spanned two days: May 18- 19, 2015 with 15,070 gallons being applied. Water temperatures and water pH stayed within the desired ranges for the treatment. Early transparency data from before and after the treatment indicates a change in Secchi depth from 1.2 meters before the treatment to 4.8 meters on May 20th. There were no complaints or comments from residents during or since the treatment. Water monitoring continues to determine if and when a second alum treatment is necessary. Lake monitoring this summer will help determine if a second dose of alum is needed to retain water quality.

2015 Main Stem Restoration Project 10th Avenue to Duluth Street, Golden Valley (2015CR) (See Item 4D): (No updates since January.) Aside from a reimbursement request from Golden Valley (Item 4D), there are no changes since the November report: The restoration project is being constructed in two phases, each under separate contract. Phase one includes stream bank shaping, placement of field stone rock and 12-inch bio-logs, and repair of storm sewer outlets. The first phase of the project began in November 2015 and was finished in June 2016. Turf establishment and minor restoration repairs in Phase 1 were accepted in late October.

The City assessed the condition of the bank stabilization practices following the large rain events in July and August and found a handful of isolated areas where rocks and bio-logs were displaced enough where repairs are necessary. Repairs are scheduled for early December, weather dependent. It is anticipated that the project will enter the one-year warranty period following the completion of these repairs. The repairs were completed and accepted in mid-December and therefore the Phase 1 construction project has entered the warranty period.

Phase two of the project includes the establishment of native vegetation along the stream, including grasses, wildflowers, shrubs, live stakes and fascines, and cordgrass plugs. The second phase of the contract, Native Buffer Vegetation installation is underway. The project has been seeded and stabilized and maintenance mowing and spot treatments have been completed. Applied Ecological Services (AES) will complete the tree and shrub planting in spring 2017 and will continue to monitor and maintain the native vegetation through 2018. It is anticipated that the total contract amount for both Phase one and Phase two will be within the Watershed's overall project budget.

2016 Northwood Lake Improvement Project, New Hope (NL-1): A final reimbursement request and final report are expected at the February meeting. Construction on this project began this spring. Photos and construction progress are available at: <http://www.ci.new-hope.mn.us/departments/publicworks/2016infrastructure.shtml>

Northwood Lake Improvement Project is nearing completion with all major work complete. Minor punch list items remain and the tank will be left dry until next spring when it is started up for the season.

- The storm tank is complete, along with all pretreatment structures.
- The overflow rain gardens are complete and functional and planted, minor work remains on a clogged drain tile pipe in one rain garden bed.
- The irrigation box was installed in November.

- Mulch and seed were installed across the entire site and grass is established. The park was opened to the public in October. The official park opening event will be held spring of 2017.
- Jordan Pond and the overflow structure to Basset Creek at Hwy 169 is complete and established. Trees were planted to help screen neighboring properties.

Grant reports were recently submitted to the MPCA and BWSR. Commission Administrator and city staff met with BWSR staff in late February for a Clean Water Fund grant reconciliation meeting. All information was accepted and approved by BWSR. A grand opening of the park is scheduled for the evening of May 15th. Friends of Northwood Lake will disseminate water quality educational materials, including BCWMC materials.

2016 Honeywell Pond Expansion Project, Golden Valley (BC-4): No update since January. Design plans for this project were approved by the Commission in November 2015. In spring 2016, the Honeywell Pond Project was bid as part of the City of Golden Valley and Hennepin County's Douglas Drive (CSAH 102) Reconstruction Project. The reconstruction project began in June 2016. Excavation of the pond basin is complete and the disturbed soils around the pond were temporarily stabilized. The contractor will finish installation of the storm sewer and install the pumps for the water reuse system. Final grading and stabilization will be completed later this year.

2018 Bassett Creek Park Pond & Winnetka Pond Dredging, Crystal (BCP-2): At their July meeting the Commission approved a [proposal](#) from the Commission Engineer to complete the feasibility study which is now underway. The field investigations are complete, including bathymetric surveys, wetland delineations, and sediment sampling. Winnetka Pond West was dropped from further investigation when review of the bathymetric survey data indicated very little sediment accumulation. Sediment sample results indicate that all material at Winnetka Pond East is Level 1, indicating the excavated sediment can be reused at most sites. One sample at Bassett Creek Park Pond is a Level 2 and three samples are Level 1, which indicates limitations to reuse of the excavated sediment. The wetland type and boundary report was recently completed and approved. A technical stakeholder/permitting agency meeting was held January 17th. A public open house for the project was held the on February 16th. Over 19 residents attended the open house. There were no objections to the project, just questions about the timing of construction and the trail closures, etc. Two residents did voice concerns about the deterioration of Winnetka Pond overtime and the condition of the creek downstream of that pond after large rains. The Commission Engineer continues to work on the feasibility study; a draft study will be presented at the April Commission meeting.

Other Work

Agora Development:

- Worked through various iterations of the agreements with Rock Hill Management and the City of Plymouth for the Agora development
- Attended a meeting with Commission Engineer and Solution Blue staff to review Commission comments on development plans and discuss the wetland restoration project
- Gathered signatures on agreements

Committee Meetings:

- Prepared draft 5-year CIP and Channel Maintenance Fund memo for March TAC meeting
- Gathered technical and policy-related questions/issues regarding XP-SWMM model for discussion at TAC meeting
- Coordinated individual city meetings to review XP-SWMM model with Commission Engineer
- Prepared Administrator recommendations for education spending for Education Committee meeting
- Attended TAC meeting and Education Committee Meeting

- Scheduled Budget Committee meeting, April Education Committee meeting, May TAC meeting

Volunteers and Education:

- Gathered information on events in need of volunteers
- Gathered volunteers for Plymouth Home Expo and St. Louis Park Rain Barrel Distribution
- Contacted past CAMP volunteers, solicited new volunteers where needed
- Coordinated with Hennepin County to get renewed River Watch contract
- Instructed contractor on news article posting on BCWMC website

Other Meetings:

- Attended Blue Line LRT meeting
- Discussed regional water issues with Met Council staff at their request to gather information from watershed organizations
- Met with new Hennepin County Land and Water Supervisor to review BCWMC work, policies, CIP, etc.

In the next month:

- Attend Clean Water Fund Grant training: March 14th
- Coordinate with Plymouth and Three Rivers Park District for curlyleaf pondweed treatment, Medicine Lake
- Develop 2016 Annual Report
- Prepare invoice to Blue Line LRT
- Finalize grant tracking spreadsheet at auditor's request
- Schedule APM/AIS meeting
- Post 2016 water quality reports online and update online graphs