



Bassett Creek Watershed Management Commission

AGENDA MEMO

Date: December 7, 2022

To: BCWMC Commissioners

From: Laura Jester, Administrator

RE: Background Information for 12/15/22 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 – November 16, 2022 Commission Meeting- ACTION ITEM with attachment
 - B. Acceptance of December Financial Report - ACTION ITEM with attachment
 - C. Approval of Payment of Invoices - ACTION ITEM with attachments (online) – I reviewed the following invoices and recommend payment.
 - i. Keystone Waters, LLC – November 2022 Administrative Services
 - ii. Keystone Waters, LLC – November 2022 Meeting Expenses
 - iii. Barr Engineering – November 2022 Engineering Services
 - iv. Kennedy & Graven – October 2022 Legal Services
 - v. Redpath – November 2022 Accounting Services
 - vi. Triple D Espresso – Meeting Catering
 - vii. MN Department of Administration – Legal Notice Publication
 - viii. Stantec – WOMP Services
 - D. Conditional Approval of Courage Kenny Center Bridge Removal – ACTION ITEM with attachment - The proposed project is on the Sweeney Lake Branch of Bassett Creek and includes removing a pedestrian bridge resulting in 1,800 ft² of disturbance and a decrease of impervious surfaces by 830 ft². The proposed project will increase floodplain storage by removing the existing bridge and abutments and will not increase the 100-year flood level. Staff recommends approval with one condition noted in the attached memo.
 - E. Approval of Stantec Proposal for 2023 Watershed Outlet Monitoring Program (WOMP) Tasks and Authorization to Execute Contract – ACTION ITEM with attachment - The Commission has contracted with Stantec (formerly Wenck Associates) to collect water samples and maintain equipment at the Bassett Creek WOMP site for several years. The attached proposal from Stantec for work beginning in January 2023 is the same as years past with a slight reduction in budget. I recommend approval of the proposal and authorization for the chair to execute the contract which was reviewed by the Commission Attorney. A 2023 WOMP grant agreement with Met Council to continue station operation with current protocols is expected early next year. In the event that agreement is significantly delayed, staff will revisit this contract with Stantec for station operation.

5. BUSINESS

- A. Four Seasons Mall Development and Water Quality Improvement Project Implementation (45 min)
- i. Review TAC and Staff Recommendations on a City of Plymouth Request Regarding Requirements for Four Seasons Mall Future Development – ACTION ITEM with attachment – *At their meeting on December 7th, the Technical Advisory Committee discussed a request by the City of Plymouth regarding requirements for future development at the Four Seasons Mall site. The attached memo includes TAC recommendations along with a different recommendation from staff.*
 - ii. Develop Terms for an Agreement with City of Plymouth to Implement Four Seasons Mall Water Quality Improvement Project (NL-2) – DISCUSSION ITEM with no attachment – *Pending the outcome of the discussion above, the Commission Attorney should draft an agreement with the city to 1) construct and maintain the CIP project, and 2) outline the provisions approved by the Commission regarding future development. Terms for the agreement should be articulated at this meeting. A final agreement would be considered for approval at a future Commission meeting.*
 - iii. Consider Approving 90% Design Plans for Four Seasons Mall Water Quality Improvement Project (NL-2) – ACTION ITEM with attachments (full plan set online) – *The Commission Engineers reviewed the 90% plans for this CIP Project noting the creation of additional floodplain storage and the estimated pollutant removal of 118 pounds of total phosphorus. Staff recommends the Commission approve the 90% plans and enter an agreement with the city of Plymouth to construct and maintain the project (as recommended above).*

BREAK (at Chair's discretion)

- B. Consider Approving Minor Revisions to Requirements for Improvements and Development Proposals as Recommended by the Technical Advisory Committee (10 min) – ACTION ITEM with attachment; full document online - *The Commission Engineer suggests minor revisions to the Requirements Document (see tracked changes in attached). The revisions provide additional clarity in some areas, provide updated information on Manufactured Treatment Devices (MTDs) in light of their recent addition to the MN Stormwater Manual, and add detail on bridge replacement projects. The TAC and staff recommend approval of the revisions.*
- C. Consider Approving Policy and Participation Agreement for Compensating Community Members for Participation in Watershed Plan Focus Groups or Interviews (15 min) – ACTION ITEM with attachment - *At the meeting last month, the Commission approved the concept of financially compensating individuals for their time and contributions through participation in focus groups or interviews. The Commission requested the development of a policy and a form or agreement for participating and some commissioners volunteered to help frame the participation program and refine some details. Please see the attached memo which outlines the proposed program and includes a draft policy and participation waiver developed by Commission Attorney Anderson. Staff recommends approval to implement the program as outlined in the memo.*
- D. Review Results of Staff Evaluations (15 min) – INFORMATION ITEM no attachment - *Chair Cesnik will review the results of the performance evaluations for Barr Engineering and me that were submitted by commissioners, alternate commissioners, and TAC members. The information is considered non-public data and therefore is not included in with public meeting materials.*

- E. Receive Report on MN Association of Watershed Districts Annual Meeting (10 min) – INFORMATION ITEM no attachment - *Chair Cesnik, Commissioner Welch, Alternate Commissioner Hauer, Commission Engineer Chandler and I attended the MAWD meeting and conference last week. Commissioner Harwell also attended on behalf of her employer. We will provide a verbal report on the results of the business meeting, the workshop attended by Alternate Commissioner Hauer, the workshop session facilitated by Commissioner Welch and me, the presentation by Commission Engineer Wilson and me, and overall takeaways from the event.*

6. COMMUNICATIONS (10 minutes)

- A. Administrator's Report – **INFORMATION ONLY no attachments**
- i. MnDNR AIS Treatment Grant Application
 - ii. Hennepin County AIS Prevention Grant Update
- B. Chair
- C. Commissioners
- D. TAC Members
- E. Committees
- F. Legal Counsel
- G. Engineer
- i. Update on Lagoon Dredging Project Construction
Update on Bryn Mawr Construction

7. INFORMATION ONLY (Information online only)

- A. BCWMC Administrative Calendar
- B. CIP Project Updates www.bassettcreekwmo.org/projects
- C. Grant Tracking Summary and Spreadsheet

8. ADJOURNMENT

Upcoming Meetings & Events

- BCWMC Regular Meeting: Thursday January 19th, 8:30 a.m., Golden Valley City Hall