



Bassett Creek Watershed Management Commission

AGENDA MEMO

Date: August 10, 2023

To: BCWMC Commissioners

From: Laura Jester, Administrator

RE: **Background Information for 8/17/23 BCWMC Meeting**

1. **CALL TO ORDER and ROLL CALL**
2. **PUBLIC FORUM ON NON-AGENDA ITEMS**
3. **APPROVAL OF AGENDA – ACTION ITEM with attachment**
4. **CONSENT AGENDA**
 - A. Approval of Minutes – July 20, 2023 Commission Meeting- ACTION ITEM with attachment
 - B. Acceptance of August 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 – July 2023 Administration
 - ii. Keystone Waters, LLC – July 2023 Administrative Expenses
 - iii. Barr Engineering – July 2023 Engineering Services
 - iv. Kennedy & Graven – June 2023 Legal Services
 - v. Redpath – July 2023 Accounting Services
 - vi. Triple D Espresso – Meeting Catering
 - vii. Stantec – WOMP Monitoring Tasks
 - D. Approval to Appoint TAC Member Eric Eckman to Plan Steering Committee – ACTION ITEM no attachment – Golden Valley TAC member Eric Eckman requests to be appointed to the Plan Steering Committee. Staff recommends approving the appointment.
 - E. Acceptance of 2022 Financial Audit – ACTION ITEM with attachment (full document online) – The 2022 financial audit (February 1, 2022 – January 31, 2023) is complete and was submitted to the State. The audit was reviewed by myself along with the Budget Committee. One finding in the audit noted that the BCWMC’s accounts did not have enough collateral at some points in the years. That situation has been remedied and will continue to be monitored.
 - F. Approval to Change Commission Address to U.S. Post Office Box – ACTION ITEM no attachment – Without a physical office space, it is difficult to assign an appropriate mailing address for paper mail to the Commission. Over the years the City of Golden Valley, Barr Engineering, and Kennedy & Graven have all been used as “the official BCWMC address.” In recent years, my home address has been used so that no mail was missed or had delayed pick up. However, the Commission’s address should actually be within the watershed. At their meeting on July 19th, the Administrative Services Committee recommended that the Commission rent a post office box at the Golden Valley post office (small size is \$6.00/month) and change the official address of the Commission to the post office box.
 - G. Adoption of Minor Amendment to 2015 Bassett Creek Watershed Management Plan – ACTION ITEM with attachment – At the May Commission meeting, you held a public hearing on the minor plan amendment intended to add the Sochacki Park Water Quality Project to the CIP. There was no public input at the hearing. State and local agencies also had an opportunity comment; all comments received

agreed it is appropriate to add the project and commended the Commission for keeping their Plan updated. Hennepin County also recently approved the Plan amendment.

- H. Approval of Amended Minnetonka Water Resource Management Plan – **ACTION ITEM no attachment** – *At the July meeting, the Commission approved comments on the proposed revisions to the Minnetonka Water Resource Management Plan (WRMP). The city developed a response to comments document which the Commission Engineer and I reviewed to ensure Commission comments were appropriately incorporated into the revised plan. Staff recommends approval of the amended Minnetonka WRMP.*

5. BUSINESS

- A. Review Draft Feasibility Study for Sochacki Park Water Quality Project (45 min) – **DISCUSSION ITEM with attachment (full document available online)** – *The Sochacki Park Water Quality Project was added to the CIP through a minor plan amendment this year. Commission staff have been working with partners (Three Rivers Park District, Robbinsdale, and Golden Valley) on development of the feasibility study and gathering technical stakeholder and public input. The draft feasibility study will be presented at this meeting for discussion. A final feasibility study will be presented at the September meeting.*
- B. Consider Approval of 2024 Operating Budget (15 min) – **ACTION ITEM with attachment** – *The Budget Committee met on July 27th to finalize a recommendation on the 2024 Operating Budget and to continue discussing the allocation of investment income. Please see their recommendations and their recommended budget and city assessments attached. A final budget is due by September 1st. Staff recommends approval at this meeting.*
- C. Consider Submitting Resolutions to Minnesota Watersheds (10 min) – **DISCUSSION ITEM with no attachment** – **See Item 5F from July meeting for materials.** *The Commission could consider drafting and submitting policy recommendations to the MN Watersheds (MW) organization (formerly MAWD) for consideration in MW’s resolutions process. After review by the MW Resolutions Committee, resolutions would be evaluated by the MW membership and voted on at the annual meeting in December. Approved resolutions would become part of MW’s 2024 legislative platform. Staff does not have any recommended resolutions at this time. Draft resolutions are due September 1st.*

6. COMMUNICATIONS (10 minutes)

- A. Administrator’s Report – **INFORMATION ITEM with attachment**
 - i. Update on Watershed Tour
- B. Engineer
- C. Legal Counsel
- D. Chair
- E. Commissioners
 - i. Report on Salt Symposium
 - ii. Report on GV Sustainability Fair and National Night Out Events
- F. TAC Members
- G. Committees

7. INFORMATION ONLY (Information online only)

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

- D. WCA Notice – Golden Valley
- E. [Stormwater Research Council Annual Report](#)
- F. [MN Aquatic Invasive Species Research Council Showcase](#)

8. 2025 WATERSHED PLAN ISSUE IDENTIFICATION & PRIORITIZATION WORKSHOP (60 min)

Consistent with Minnesota Rules 8410, the 2025 Bassett Creek Watershed Management Plan (Plan) must identify priority issues to be addressed by the Commission. The Plan Steering Committee (PSC) met three times (May 25, July 11, and August 1, 2023) to review and discuss potential issues to be addressed by the Plan. The PSC’s recommendations are presented in the attached materials.

The purpose of the workshop is to: 1) ensure there are no issues missing from the list, and 2) ensure the PSC’s recommended priority levels are appropriate. The outcome will be a final list of priority issues that will be used to focus the rest of the Plan’s development and the work of the Commission over the life of the Plan.

The workshop is not meant to be a brainstorming session, but rather a discussion of issues/priorities where there are questions or concerns, and subsequent approval of, or suggested changes to the PSC’s recommendations.

9. CLOSED SESSION PURSUANT TO MINN. STAT. 13D.05, SUBD. 3(b) TO ENGAGE IN ATTORNEY-CLIENT PRIVILEGED COMMUNICATIONS REGARDING ONGOING CLAIM DISPUTE WITH FITGERALD EXCAVATING & TRUCKING, INC. (MAIN STEM LAGOON DREDGING PROJECT CONTRACTOR) (30 min)

Closed session for commissioners, alternate commissioners, and commission staff. All others will be asked to leave the meeting. Following the closed session, the public meeting will be opened again to finish the remaining agenda items.

10. CONSIDER APPROVAL OF TOLLING AGREEMENT WITH MAIN STEM LAGOON DREDGING PROJECT CONTRACTOR

Depending on the outcome of the closed session, the Commission may wish to authorize the chair and secretary to execute a tolling agreement related to the ongoing claim dispute. More information on this will be provided by the Commission Attorney.

11. ADJOURNMENT

Upcoming Meetings & Events

- [BCWMC Education Committee Meeting](#): Monday August 21st, 3:30 p.m., Sweeney Lake Rm, Brookview
- [BCWMC TAC Meeting](#): Wednesday September 6th, 10:30 a.m., Wirth Lake Rm, Brookview
- [AIS Research and Management Showcase](#): Wednesday, September 20th 8:30am - 4:00pm, online; registration required
- [BCWMC Regular Meeting](#): Thursday September 21st, 8:30 a.m., Golden Valley City Hall