



Bassett Creek Watershed Management Commission

AGENDA MEMO

Date: December 14, 2023

To: BCWMC Commissioners

From: Laura Jester, Administrator

RE: Background Information for 12/21/23 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 – November 15, 2023 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 2023 Administration
 - ii. Keystone Waters, LLC – November 2023 Administrative Expenses
 - iii. Barr Engineering – November 2023 Engineering Services
 - iv. Kennedy & Graven – October 2023 Legal Services
 - v. Kennedy & Graven – November 2023 Legal Services
 - vi. Redpath – November 2023 Accounting Services
 - vii. Triple D Espresso – Meeting Catering
 - viii. University of Minnesota – Room Rental for BCV Meeting
 - ix. Commissioner Twiford – Reimbursement for Conference Lodging and Mileage
 - x. Alternate Commissioner Hauer – Reimbursement for Conference Mileage

 - D. Approval of Bryn Mawr Meadows CIP Project Partial Reimbursement to MPRB – **ACTION ITEM with attachment** – *At your meeting in October, you approved an amendment to the agreement with the Minneapolis Park and Recreation Board and the City of Minneapolis to provide partial reimbursement of \$400,000 for project construction before the required maintenance and operation plan is finalized. This action was taken in order to close out the Clean Water Fund grant which expires at the end of this month. Staff recommends approval of the payment.*

 - E. Approval to Appoint Chad Guse, City of Plymouth, as BCWMC Deputy Treasurer – **ACTION ITEM with attachment** – *The current BCWMC deputy treasurer, Sue Virnig with the City of Golden Valley, is retiring in early January. In order to maintain appropriate access to financial accounts and check signatories, a new deputy treasurer should be appointed. Please see the memo attached for more information.*

 - F. Conditional Approval of Hopkins Crossroads Trail Improvements, Minnetonka – **ACTION ITEM with attachment** – *The proposed linear project includes the construction of an 8-ft wide trail and storm sewer improvements along the east side of Hopkins Crossroad in Minnetonka, resulting in approximately 2.0 acres of land disturbance and 0.2 acres of new impervious surface. The Commission Engineer recommends approval with conditions as outlined in the memo.*

 - G. Approval to Direct Commission Engineer to Submit Flood Control Inspection Report to Cities, Minnesota DNR, U.S. Army Corps of Engineers – **ACTION ITEM with attachment (full document**

online) - In accordance to the Operation and Maintenance Manual for the Bassett Creek Flood Control Project (FCP), an annual inspection of the FCP features was completed by Commission Engineers. Staff requests approval to submit the inspection report to the appropriate entities. The municipalities are responsible for routine maintenance and repair of the FCP features located within their city and are responsible for submitting the completed FCP Maintenance Record from the previous year's inspection.

- H. Approval of Contract with Stantec for WOMP Services – **ACTION ITEM with attachment** - The Commission has contracted with Stantec (formerly Wenck Associates) to collect water samples and maintain equipment at the Bassett Creek Watershed Outlet Monitoring Program (WOMP) site for several years. The attached proposal from Stantec for work beginning in January 2024 is the same as years past with an option to add pesticide sample collection if requested by the MN Department of Agriculture. I recommend approval of the proposal and terms and conditions document which was reviewed by the Commission Attorney.

5. BUSINESS

- A. Consider Budget Committee and Technical Advisory Committee Recommendations (30 min) – **ACTION ITEM with attachment** – The Budget Committee met on November 20th to discuss a proposed amendment to the 2024 operating budget and a policy on use of investment income. Their recommendations are attached. The committee also sought TAC input on the investment income policy. TAC recommendations are included in the attached memo. Staff recommends approval of the Budget Committee's recommendations.
- B. Consider Approval of Scope and Budget for Medicine Lake TMDL Status Assessment (20 min) – **ACTION ITEM with attachment** – At the October Commission meeting, and based on the Plan Steering Committee's recommendation, the Commission directed the Commission Engineer to develop a scope and budget for an assessment of the status of the Medicine Lake nutrient Total Maximum Daily Load (TMDL) study. The assessment would result in a list of projects, programs, or practices that could be included in the 2025 Watershed Plan to help reach the goal of delisting the lake. Staff recommends approval of the scope and budget as presented. If the Budget Committee's recommendation on use of investment income (from 5A above) is approved, investment income could be considered to fund this project.
- C. Consider Approval of Budget Amendment for Parkers Lake Chloride Dilution/Extraction Study (10 min) – **ACTION ITEM with attachment** – At the November meeting, the Commission Engineer presented the results of the Parkers Lake Chloride Dilution/Extraction Study which was an in-depth and cutting-edge analysis of options to remove chloride from Parkers Lake. The Commission Engineer is requesting additional budget of \$4,100 for that study due to its complicated nature and detailed correspondence with permitting agencies. I recommend approval of the request. This CIP project budget has a balance of almost \$255,000. This CIP budget will also be used for development and possible implementation of a holistic approach to chloride management and source control in the Parkers Lake watershed (as directed by the Commission in November).
- D. Review Draft Comment Letter on 2024 Draft Impaired Waters List (10 min) – **ACTION ITEM with attachment** - The Minnesota Pollution Control Agency (MPCA) recently released the 2024 draft impaired waters list (303(d) list) and requested comments from stakeholders. "Impaired waters" are

lakes and streams that do not meet State water quality and ecological standards. Commission Engineers and I reviewed the list, corresponded with MPCA staff and provide the attached information and recommended comment letter.

- E. Receive Report on Minnesota Watersheds Annual Conference and Meeting (10 min) – INFORMATION ITEM no attachment – *BCWMC delegates Alternate Commissioners Hauer and Kennedy and alternate delegate Commissioner Twiford attended the MN Watersheds Conference, in addition to me and Commissioner Welch. Alternate Commissioner Kennedy was elected to the statewide Minnesota Watersheds Board of Directors. Conference attendees can provide a brief review of the conference and business meeting outcomes.*

- F. Receive Update from Plan Steering Committee (5 min) - INFORMATION ITEM no attachment – *The Plan Steering Committee met on December 6th to continue developing issue statements and goals for the 2025 Plan. A brief update will be provided at this meeting. Additionally, staff will report on a “Plan TAC” meeting to be held on December 15th that includes staff from member cities along with state and local review agencies and technical partners.*

- G. Review Final Reports for Mt. Olivet Stream Restoration Project (ML-20) and Parkers Lake Drainage Improvement Project (PL-7) and Consider Reimbursement Requests (15 min) – *These BCWMC capital improvement projects (CIP) were officially ordered, and agreements with the city of Plymouth for design and construction were approved in September 2020. The city combined implementation of the projects and hired WSB and Associates to design the projects and contracted with Sunram Construction, Inc. for construction. Most construction was completed in 2022 with final vegetation establishment in 2023. Attached are the final reports for each project along with reimbursement requests from the City of Plymouth (with combined back up documentation). I recommend approval of the reimbursement requests and project close out.*
 - i. Mt. Olivet Final Report – **INFORMATION ITEM with attachment**
 - ii. Parkers Lake Final Report – **INFORMATION ITEM with attachment**
 - iii. Reimbursement Requests – **ACTION ITEM with attachment**

- H. Receive Final Report on Main Stem Lagoon Dredging Project and Consider TAC Recommendations on Future Dredging Projects (15 min) – ACTION ITEM with attachment – *With the Lagoon Dredging Project complete, a final report was developed and will be briefly reviewed at this meeting. The report includes TAC recommendations on actions and evaluations to consider for future dredging projects. As previously discussed, the Commission will consider options for further dredging of the lagoons to the original project design depth or dredging other lagoons in Theodore Wirth Park in conjunction with a review of other potential CIP projects early next year.*

- I. Review Results of Staff Evaluations (10 min) – DISCUSSION ITEM no attachment – *Alternate Commissioner Harwell 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 with public meeting materials.*

6. COMMUNICATIONS (10 minutes)

- A. Administrator’s Report – **see attachment**
- B. Engineer
- C. Legal Counsel

- D. Chair
- E. Commissioners
- F. TAC Members
 - i. Next meeting Feb 7th – need liaison
- G. Committees
 - i. Education Committee

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 Notices Plymouth
- E. Minnesota Watersheds Statewide Survey Results
- F. Minnesota Watersheds Strategic Plan Accomplishments

8. ADJOURNMENT

Upcoming Meetings & Events

- BCWMC Plan Steering Committee Meeting: Wednesday, January 3rd, 8:30 a.m, Wirth Lake Room, Brookview
- Metro Watersheds Quarterly Meeting: Tuesday, January 16th, 7:00 p.m. via Zoom
- BCWMC Regular Meeting: Thursday January 18th, 8:30 a.m., Golden Valley City Hall
- BCWMC Plan Steering Committee Meeting: Wednesday, February 7th, 8:30 a.m, Wirth Lake Room, Brookview
- BCWMC Technical Advisory Committee Meeting: Wednesday, February 7th, 10:30 a.m, Wirth Lake Room, Brookview