



Bassett Creek Watershed Management Commission

Minutes of Regular Meeting

Thursday, March 20, 2025

8:30 a.m.

7800 Golden Valley Rd., Golden Valley MN

1. CALL TO ORDER and ROLL CALL

On March 20, 2025 at 8:31 a.m. Chair Cesnik called the Bassett Creek Watershed Management Commission (Commission) to order.

Commissioners, city staff, and others present

City	Commissioner	Alternate Commissioner	Technical Advisory Committee Members (City Staff)
Crystal	Joan Hauer	Terri Schultz <i>online</i>	<i>Absent</i>
Golden Valley	Paula Pentel	<i>Vacant</i>	Eric Eckman, Drew Chirpich
Medicine Lake	Clint Carlson	Shaun Kennedy	<i>Absent</i>
Minneapolis	Jodi Polzin	<i>Vacant</i>	Liz Stout
Minnetonka	<i>Vacant</i>	<i>Absent</i>	Leslie Yetka, <i>online</i>
New Hope	Jere Gwin-Lenth	Jen Leonardson	Nick Macklem
Plymouth	Catherine Cesnik	<i>Absent</i>	Ben Scharenbroich
Robbinsdale	Wayne Sicora	<i>Vacant</i>	Jenna Wolf
St. Louis Park	RJ Twiford	David Johnston	Erick Francis
Administrator	Laura Jester, Keystone Waters, LLC		
Engineers	Stephanie Johnson and Jessica Olson – Barr Engineering Co.		
Recording Secretary	<i>Vacant Position</i>		
Legal Counsel	Dave Anderson, Kennedy & Graven		
Guests/Public	Winston Wildebush, Graffiti Mill LLC		

2. PUBLIC FORUM ON NON-AGENDA ITEMS

None.

3. APPROVAL OF AGENDA

Administrator Jester requested the addition of an agenda item to consider approval of the Commitment of Funds Related to FEMA Grant

MOTION: Commissioner Gwin-Lenth moved to approve the agenda as amended. Commissioner Carlson seconded the motion. Upon a vote the motion carried 8-0 with the City of Minnetonka absent from the vote.

4. CONSENT AGENDA

Item 4A was removed from the consent agenda.

MOTION: Commissioner Gwin-Lenth moved to approve the consent agenda as amended. Commissioner Carlson seconded the motion. Upon a vote the motion carried 8-0 with the City of Minnetonka absent from the vote.

The following items were approved as part of the consent agenda.

- Acceptance of March Financial Report
- Approval of Payment of Invoices
 - Keystone Waters, LLC – February 2025 Administration
 - Keystone Waters, LLC – February 2025 Administrative Expenses
 - Barr Engineering – February 2025 Engineering Services
 - Triple D Espresso – March Meeting Catering
 - City of Plymouth – February 2025 Accounting Services
 - Kennedy & Graven – Legal Services
 - Stantec – WOMP Services
 - Shingle Creek WMC – 2025 West Metro Water Alliance
- Approval of Work Plan from Bolton & Menk for AIS Detection Training
- Approval of Reimbursement Request from City of Golden Valley for Medley Park Stormwater Improvement Project (ML-12)
- Approval of Resolution of Appreciation for Bob Stamos

Items A. Approval of Minutes – February 20, 2025

Administrator Jester noted two revisions needed in the minutes to correct the number of votes approving agenda items 6G and 6H.

MOTION: Commissioner Gwin-Lenth moved to approve the February meeting minutes as amended. Commissioner Carlson seconded the motion. Upon a vote the motion carried 8-0 with the City of Minnetonka absent from the vote.

5. BUSINESS

A. Consider Approval of Contract with Barr Engineering

Administrator Jester reminded the commissioners that at the February meeting they reviewed the performance evaluation for Barr Engineering and letters of interest proposals from Barr Engineering and MNL. She noted the Commission Attorney reviewed this contract with Barr Engineering for continued engineering services and she recommends approval. Commissioner Carlson noted that Barr does excellent work for the Commission but that their contract is a significant part of the Commission's budget. He's concerned about budgets and high costs in this time of economic uncertainty. He noted the need for flexibility in budgets and the potential need for alternative, lower cost options. Administrator Jester noted that the Commission is not precluded from requesting proposals from different engineering firms for specific projects or studies. There was discussion about how Barr is a large company with varying staff levels and billing rates, which allows for some flexibility. Commission Engineer Johnson acknowledged concerns with budgets and noted they use staff with lower bill rates when possible. Commissioner Hauer noted Barr's vast expertise and knowledge of the watershed and their role in helping to manage costs. Commissioner Gwin-Lenth agreed with Commissioner Carlson on current financial insecurity and noted the Commission should critically review and understand their work to better manage the overall engineering budget. It was also noted that prior to having an administrator 15 years ago, the Commission Engineer did more administrative work along with much time and assistance from the Commission Chair.

MOTION: Commissioner Twiford moved to approve the contract with Barr Engineering. Commissioner Gwin-Lenth seconded the motion. Upon a vote the motion carried 8-0 with the City of Minnetonka absent from the vote.

B. Consider Approval of Engineering Services Scope and Budget for Bassett Creek Restoration Project Regent Ave. to Golden Valley Rd. (CR-M 2024)

Administrator Jester reminded commissioners that at the November 2024 meeting, they approved an agreement with the City of Golden Valley for the implementation of this project. She noted the agreement included a provision for the Commission to provide engineering services, including project design. She reported the budget is in line with the budget outlined in the feasibility study and that funding for the design and engineering services will come from CIP funds collected for this project.

Commission Engineer Johnson reviewed the proposal and acknowledged that this is a big project with over a mile of stream restoration, resulting in a significant budget needed for engineering services. She walked through the various components of the proposal including design, permitting, developing bid documents, performing construction observation and environmental oversight. She noted the design would follow the typical milestones of 50% and 90% designs being reviewed and approved by the Commission before moving forward. She noted that securing permits will be a big job, and that a detailed survey of the whole stream corridor is needed to design specific restoration techniques in each specific area. Finally, Engineer Johnson reported that a contingency budget is requested to address potential contamination if it is discovered.

Commission Engineer Johnson reported that Commission Engineers would work closely with city staff and Administrator Jester on public engagement. There was discussion about public engagement, including what outreach has already taken to inform residents and what might be needed moving forward. Golden Valley TAC member Eckman indicated that city staff would be re-engaging with residents early in the design process and again at the 90% design phase. In response to a question, TAC member Eckman noted that city staff does track their time working on the project and may request reimbursement. Commission Attorney Anderson noted that some of the outreach to residents will be about property boundaries and easements; and that the city needs appropriate permissions and rights to work on private property.

There was concern that the schedule for design seems tight, especially given the time it may take for permitting. TAC member Eckman reported that even if the construction schedule slips by one year, there is little risk to the project although construction costs may be higher. He noted, if needed, the project could be constructed in phases over more than one construction season.

There was a discussion about the contingency budget, how Commission Engineers would manage the costs and develop a scope for use of the contingency funds, if needed. Administrator Jester reminded commissioners that the scope of work would be approved as a not to exceed amount and the contingency funds would also be based on a not to exceed amount. TAC member Eckman noted that the contingency budget was based on past projects and that it's common to have a contingency budget for these types of projects.

MOTION: Commissioner Pentel moved to approve the scope and budget for the engineering services and contingency budget for the Bassett Creek Restoration Project Regent Av. To Golden Valley Rd. Commissioner Hauer seconded the motion. Upon a vote the motion carried 8-0 with the City of Minnetonka absent from the vote.

C. Consider Approval of Reimbursement Agreement for Preliminary Discussions on Fruen Mill Redevelopment

Chair Cesnik asked audience member Winston Wildebush to reintroduce himself. Mr. Wildebush said he is a long-time resident of the Bryn Mawr Neighborhood and is working with the Fruen Mill owner on a redevelopment project on the site. He noted that the site is very complicated with many floodplain issues and the potential need for variances. He indicated that the owner has agreed to reimburse the Commission for the Commission Engineer's expenses in helping to address floodplain issues.

Administrator Jester clarified that the Commission Engineer is not assisting with design of the site but continues to answer questions about BCWMC requirements and development within the floodplain. She reminded commissioners that the Commission can only charge a review fee once an actual development application is submitted. She noted that this scenario of being reimbursed for expenses incurred before a formal application is not without precedent. She noted the Commission had similar agreements with the Metropolitan Council during the pre-application period of the Southwest LRT and Blue Line LRT.

In response to a question about proposed uses of the site, Mr. Wildebush reported that the owner has designed and opened destination hospitality experiences around the world and that he works to repurpose historical structures with adaptive reuse. He reported the Fruen Mill would not be demolished with this design and that they are hoping to reduce the hardscape of the entire site. Commissioner Sicora applauded the early engagement with the Commission.

MOTION: Commissioner Sicora moved approval of the reimbursement agreement. Commissioner Twiford seconded the motion. Upon a vote the motion carried 8-0 with the City of Minnetonka absent from the vote.

D. Consider Approval of Scope of Work for Bassett Creek Valley Floodplain and Stormwater Management Study Update and Reimbursement Agreement with Minneapolis

Administrator Jester provided background noting that in 2019, the Commission and the City of Minneapolis partnered on a floodplain feasibility study within the Bassett Creek Valley (Bassett Creek Valley Floodplain and Stormwater Management Study). She reported the study goals were to identify opportunities to provide flood storage, improve water quality, and bring regional amenities to the area. She acknowledged that much has changed since 2019 and that city and commission staff wish to have the study updated with current information in order to advance discussions on next steps for implementing large scale changes in the Valley. She also reported that because of mutual interests, costs to update the study are proposed to be shared. She said the city agrees to pay 75% of the project costs (up to \$64,050) and the Commission would be responsible for 25% of the costs or up to \$21,350. She noted that Commission funding could come from the Special Projects Fund.

Commission Engineer Johnson gave an overview of the tasks associated with the proposed study update project. She noted the intent of the project is to 1) re-engage partners and bring new partners to the table including the city's community development staff, and 2) update the technical information found in the original study. She noted this is not a full-scale feasibility study. There were questions about the status of the city's impound lot. Minneapolis TAC member Stout reported that the city continues to discuss the impound lot and there is some reluctance to move the whole lot but that its footprint may be reduced.

There was a brief discussion about the current industrial landuse in the area. It was noted there has not been a clear solution identified for the area due to the numerous challenges including expansive floodplain and historical contamination. Commissioners recognized the partnership with the city on an updated study is a good next step.

MOTION: Commissioner Pentel moved to approve the scope of work and reimbursement agreement with the City of Minneapolis. Commissioner Hauer seconded the motion. Upon a vote the motion carried 8-0 with the City of Minnetonka absent from the vote.

E. Consider Agreement and Scope of Work from Bolton & Menk for Chloride Reduction Strategies in Parkers Lake Subwatershed

Administrator Jester provided background noting that at the meeting in November 2023, the Commission received an analysis of methods and associated costs for chloride extraction from Parkers Lake in Plymouth as part of the Parkers Lake Chloride Reduction CIP Project (PL-7). She reported that at that meeting the Commission directed staff to work with the City of Plymouth to develop a holistic approach to reducing chloride sources in the lake's NE subwatershed. Since then, she noted that staff have been working to identify and provide outreach/education to several properties in the subwatershed, mostly through the West Metro Water Alliance staff person (a position shared with Hennepin County). She reported that in order to advance this outreach further, she and city staff and Hennepin County staff recommend hiring Bolton & Menk to evaluate salt storage, equipment, and salting practices for four properties in the subwatershed. She reviewed the scope of work and contract with Bolton and Menk and recommended approval with funding to come from the Parkers Lake Chloride Reduction Project CIP budget.

There were questions about whether or not the properties (two of which are private winter maintenance contractors) are cooperating with the project. Administrator Jester noted that WMWA staff had been in contact with one of the companies and that part of the work of Bolton and Menk will be to contact and engage with the companies. She also noted there is no enforcement of regulations or ordinances involved with this project, only outreach, site assessment, and education. As one of the properties is a MnDOT property, it was noted that another

MnDOT property in Golden Valley could also be assessed for salt management practices in the future.

MOTION: Commissioner Hauer moved approval of the scope, budget, and contract with Bolton and Menk. Commissioner Carlson seconded the motion. Upon a vote the motion carried 8-0 with the City of Minnetonka absent from the vote.

F. Reschedule June Commission Meeting

Administrator Jester noted that because the third Thursday of June falls on the Juneteenth state holiday, it will need to be moved.

MOTION: Commissioner Twiford moved to reschedule the June BCWMC meeting to June 18th at 8:30 a.m. at a location to be determined. Commissioner Pentel seconded the motion. Upon a vote the motion carried 8-0 with the City of Minnetonka absent from the vote.

G. Commitment of Funds Related to FEMA Grant

Administrator Jester and Commission Engineer Johnson reminded commissioners that they are seeking FEMA grant funds for the hydrologic and hydraulic update and conversion project as directed by the Commission in April 2024. They reported that the state agency in charge of soliciting and coordinating the grant applications recently officially invited the BCWMC to apply for the funds (after receiving a pre-proposal last year). It was noted the H&H project has not yet begun because staff was waiting to hear about potential grant funding (which typically would not cover work already done). Administrator Jester reviewed the resolution delegating a sub-grant agreement and the commitment of match funding which were both reviewed/edited by Commission Attorney Anderson. She recommended approval.

MOTION: Commissioner Carlson moved approval of the delegation authority resolution and commitment of funds. Commissioner Pentel seconded the motion. Upon a vote the motion carried 8-0 with the City of Minnetonka absent from the vote.

[Chair Cesnik called a 5-minute break.]

6. COMMUNICATIONS

A. Administrator's Report

- i. Northwood and Lost Lake TMDL status – The Commission is likely to review a proposed scope of work and budget for activities related to these two TMDLs at the April meeting.

B. Engineer

- i. Additional Information on Double Box Culvert Feasibility Study - Commission Engineer Johnson responded to questions raised at the March meeting about the potential need to test material to be removed during repairs of the Double Box Culvert. She noted the deposits being removed will not have originated from the watershed, but rather through cracks and groundwater seepage in the walls of the tunnel and will not need testing for contaminants.
- ii. Letter to County on Parcel Shift to ECWMC – A letter was sent to Hennepin County formally requesting that a parcel known to be in the Elm Creek Watershed (but incorrectly identified as being in the BCMWC by Hennepin County) be assigned to the appropriate watershed in county tax parcels.

C. Legal Counsel – No report

D. Chair – No report

E. Minnesota Watersheds – Alternate Commissioner Kennedy gave information on the purpose of the special meeting in St. Cloud related to reorganizing the process for gathering and deciding on legislative resolutions.

F. Commissioners – Alternate Commissioner Kennedy reported on the recent Plan Steering Committee meeting including progress made on plan development and another Commission workshop, likely in May.

G. TAC Members – Members reported on upcoming events including the Discover Plymouth Event

- i. St. Louis Park Annual Stormwater Pollution Prevention Program Open House
- ii. Ĥaňá Wakpádaŋ /Bassett Creek Watershed Cleanup April 19 – Administrator Jester asked for volunteers to table at this event.

H. Committees

- i. Report on Budget Committee Meeting – Committee Chair Polzin reported that the committee met with Plymouth accounting staff, discussed roles and responsibilities, and discussed possible fiscal policies.

1. INFORMATION ONLY (Information online only)

- A. Administrative Calendar
- B. CIP Project Updates www.bassettcreekwmo.org/projects
- C. Grant Tracking Summary and Spreadsheet
- D. WCA Notices, Plymouth and Minneapolis
- E. Metro Watersheds 2024 Annual Report

7. ADJOURNMENT – The meeting adjourned at 10:31 a.m.