

1                                   **MINUTES OF THE REGULAR MEETING OF**  
2                                   **THE MINNEHAHA CREEK WATERSHED DISTRICT**  
3                                   **BOARD OF MANAGERS**

4  
5                                   **June 22, 2023**

6  
7                                   **CALL TO ORDER**

8  
9                                   The regular meeting of the Minnehaha Creek Watershed District Board of Managers was  
10                                   called to order by President Sherry White 7:12 pm on June 22, 2023 at the MCWD  
11                                   offices, 15320 Minnetonka Boulevard, Minnetonka, Minnesota.

12  
13                                   **MANAGERS PRESENT**

14  
15                                   Sherry White, William Olson, Arun Hejmadi, Jessica Loftus, Stephen Sando, Richard  
16                                   Miller, and Eugene Maxwell.

17  
18                                   **MANAGERS ABSENT**

19  
20                                   None.

21  
22                                   **DISTRICT STAFF AND CONSULTANTS PRESENT**

23  
24                                   James Wisker, Administrator; Samantha Maul, Acting Outreach Manager; Gabe  
25                                   Sherman, Planner Project Manager; Michael Hayman, Project Planning Manager; Brian  
26                                   Beck, Research & Monitoring Program Manager; Jill Sweet, Research & Monitoring  
27                                   Technician; Chris Meehan, District Consulting Engineer; and Louis Smith, District  
28                                   Counsel.

29  
30                                   **MATTERS FROM THE FLOOR**

31  
32                                   None.

33  
34                                   **APPROVAL OF AGENDA**

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36                                   *It was moved by Manager Maxwell, seconded by Manager Hejmadi to approve the*  
37                                   *Agenda as distributed. Upon vote, the motion carried 7-0.*

38  
39                                   **CONSENT AGENDA**

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41                                   *It was moved by Manager Hejmadi, seconded by Manager Olson to approve the items*  
42                                   *on the Consent Agenda consisting of approval of the June 8, 2023 Board Meeting*  
43                                   *Minutes; approval of the General Check Register, including check numbers 42281*  
44                                   *through 42304 in the amount of \$58,125.73, electronic funds withdrawals of*  
45                                   *\$37,804.96, Managers Per Diems and Reimbursements of \$1,371.18, employee*  
46                                   *reimbursements of \$11,409.46, and payroll electronic funds withdrawals and*

47 *disbursements of \$144,241.97 for a total of \$252,953.30; the Surety Check Register*  
48 *Bremer Bank fee in the amount of \$37.00; the Wire Check Register in the amount of*  
49 *\$28,050.00 in payment to Wells Fargo for 325 Blake Road Refinance; and the*  
50 *following resolution:*

51  
52 *Resolution 23-034: Approval to Purchase Replacement Laptops*

53  
54 *NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek*  
55 *Watershed District Board of Managers hereby approves the purchase of six*  
56 *replacement laptops and docking stations for an amount not to exceed*  
57 *\$9,880.17.*

58  
59 *Upon vote, the motion carried 7-0.*

60  
61 **BOARD, COMMITTEE AND TASK FORCE REPORTS**

62  
63 President's Report: President White reported that the manager liaisons to Minneapolis  
64 received a staff briefing on June 15.

65  
66 Planning and Policy Committee Report: Manager Miller reported that the committee  
67 received a staff briefing on the of the outcomes Technical Advisory Committee's review  
68 from the Land & Water Partnership Initiative and permitting program improvements.

69  
70 Other Reports: President White and Manager Olson reported that the MCWD hosted the  
71 Lessard Sams Outdoor Heritage Council at Wasserman Lake Preserve to review the  
72 results of the carp management program. President White and Managers Olson, Hejmadi  
73 and Sando reported on their attendance at the Minnesota Watersheds summer tour in the  
74 Cedar River and Shell Rock River Watershed Districts.

75  
76 Upcoming Meeting and Event Schedule: President White noted the upcoming meeting  
77 schedule.

78  
79 **ACTION ITEMS**

80  
81 Resolution 23-035: Approval to Open Beta Testing for New Website

82  
83 Ms. Samantha Maul appeared before the Board of Managers to review the request for  
84 board action. She reviewed the background and goals of the website, building on the  
85 MCWD's organizational outreach strategy.

86  
87 *It was moved by Manager Olson, seconded by Manager Hejmadi to adopt Resolution*  
88 *23-035 as follows:*

89

90           ***NOW, THEREFORE, BE IT RESOLVED that the MCWD Board of Managers***  
91           ***hereby approves the draft website build to undergo beta testing.***

92  
93 Ms. Maul reviewed the process steps in the beta testing, and in response to a question  
94 from Manager Hejmadi, noted that the website design is intended to be accessible to  
95 persons who are not familiar with the District. Manager Miller expressed interest in ways  
96 to recognize MCWD partners, and Manager Olson suggested inviting several other metro  
97 watershed districts to review the beta version.

98  
99 ***Upon vote, the motion carried 7-0.***

100  
101 Resolution 23-036: Authorization to Amend the Phase II Design Contract with HDR for  
102 325 Blake Road Restoration and Redevelopment to Include Pre-Bid Coordination

103  
104 Mr. Gabe Sherman appeared before the Board of Managers to review the request for  
105 board action. He explained that uncertainty over the final shape of Alatus’ commercial  
106 space and public realm adjacent to the regional stormwater pond and ongoing  
107 negotiations with Alatus on the next land sale have necessitated a gap between final  
108 design and bidding. While bidding is temporarily paused, there remains coordination and  
109 evaluation work that requires input and oversight from HDR as MCWD’s licensed  
110 consulting engineer for the 325 Blake Road project.

111  
112 ***It was moved by Manager Miller, seconded by Manager Olson to adopt Resolution 23-***  
113 ***036 as follows:***

114  
115           ***NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek***  
116           ***Watershed District Board of Managers authorizes the District Administrator, on***  
117           ***advice of Counsel, to amend the Agreement between Minnehaha Creek***  
118           ***Watershed District and HDR Engineering, Inc. (entitled “325 Blake Road***  
119           ***Regional Stormwater and Greenway / Cottageville Park Phase II Riparian***  
120           ***Restoration Schematic Design – Phase II Contract Amendment for 60/90/100%***  
121           ***Design”) to include pre-bid coordination services, in an amount not to exceed***  
122           ***\$25,000.***

123  
124 In response to a question from Manager Olson, Mr. Sherman explained that Damon  
125 Farber is a subcontractor to HDR. Manager Miller read the following statement for the  
126 record:

127  
128           The \$25,000 extension payment by Alatus does not cover the District’s ongoing  
129 holding costs. I want to flag that the District’s restoration and regional  
130 stormwater project design is complete and ready for construction. Although we  
131 have designed the projects to be integrated and somewhat dependent on the  
132 private development as it relates to vision and user experience, we have the ability

133 to start moving our efforts forward, regardless of the development status. As part  
134 of this ongoing coordination contract, I appreciate our ability to work with HDR  
135 to understand how the public realm part of the project can move forward in a  
136 timely manner and not be unnecessarily delayed by the current development  
137 process.

138  
139 Manager Loftus questioned the need for more work by HDR and asked why the District  
140 needs to make HDR available to Alatus. She stated that she felt that all of the MCWD's  
141 plans are complete and paid for and believed that any additional costs should be charged  
142 to Alatus. Mr. Sherman noted that any further work by HDR would be in MCWD's  
143 interest and directed by staff. Mr. Hayman noted that current stormwater work  
144 coordinated with Alatus is for the purpose of avoiding future disruption and increased  
145 costs to MCWD. Mr. Wisker and Mr. Smith noted that the issue before the Board is the  
146 contract extension for HDR. Manager Olson stated that he supported the resolution and  
147 believed that any work by HDR would be efficient and at staff direction. Manager  
148 Hejmadi agreed with Manager Olson.

149  
150 *There being no further discussion, upon vote the motion carried 6-1, with Manager*  
151 *Loftus voting against the motion.*

152  
153 **BOARD DISCUSSION ITEMS**

154  
155 Compensation and Classification Study

156  
157 Mr. Wisker noted the Board's policy commitment to a formal compensation and  
158 classification study every five years and introduced Ms. Laura Linehan of Baker Tilly to  
159 present the 2023 study. Ms. Linehan reviewed the scope of the study, methodology,  
160 findings from the market evaluation of employee wages and benefits, a recommended  
161 2024 pay plan, and potential costs to implement the plan in 2023 and 2024. The  
162 managers thanked Ms. Linehan and Mr. Wisker and indicated that they are comfortable  
163 with the recommendations.

164  
165 Greenway to Cedar Regional Trail Connection and Streambank Restoration Feasibility  
166 Report

167  
168 Mr. Gabe Sherman appeared before the Board of Managers to provide an update on the  
169 trail connection and feasibility study of streambank restoration. He noted that this project  
170 will bring the Greenway trail under the newly constructed Southwest Light Rail Transit  
171 corridor, creating the final trail connection between the Minnehaha Creek Preserve and  
172 the Cedar Lake LRT Regional Trail by 325 Blake Road. Mr. Sherman reviewed the  
173 feasibility study and noted the changed site conditions and two modified alignment  
174 options, one providing for 12 miles per hour bicycle travel, and the other providing for 16  
175 miles per hour, with varying floodplain impacts. The Board of Managers discussed these

176 options and generally supported the staff recommendation for the 12 miles per hour  
177 option, with a hybrid alignment downstream of the bridge, and add alternative #1 for  
178 streambank restoration.

179  
180 Mr. Sherman reviewed the project schedule, which includes work this fall on partnership  
181 agreements and a request for design proposals in the winter. The managers thanked Mr.  
182 Sherman for his presentation.

183  
184 Update on the Implementation and Closeout of the Six Mile Creek Halsted Bay Habitat  
185 Restoration Project

186  
187 Mr. Brian Beck and Ms. Jill Sweet appeared before the Board of Managers to provide an  
188 update on the Six Mile Creek Halsted Bay (SMCHB) Habitat Restoration Project  
189 regarding the steps being taken to close out the Lessard Sams Outdoor Heritage Council  
190 (LSOHC) grant. Ms. Sweet reviewed the carp management project and Mr. Beck  
191 reviewed the vegetation response and habitat management. Key conclusions from this  
192 work so far are that carp biomass greater than 300 kilograms per hectare limits healthy  
193 aquatic communities; obtaining a healthy plant community requires good water quality  
194 and low carp biomass; and the Six Mile Creek Halsted's Bay lakes that have achieved  
195 carp biomass targets have not yet demonstrated measurable improvement in water clarity.  
196 The managers thanked Ms. Sweet and Mr. Beck for this presentation.

197  
198 **BOARD INQUIRIES, ISSUES, AND IDEAS**

199  
200 None.

201  
202 **STAFF UPDATES**

203  
204 Administrator's Report

205  
206 Mr. Wisker reported on the following items:

- 207
- 208 1. As the presentation from Ms. Sweet and Mr. Beck illustrates, we are committed to  
209 accountability and we recognize that there are no quick fixes. There appears to be no  
210 clear improvement in water clarity yet, but we will continue to evaluate our progress and  
211 share our research.
  - 212 2. Lake Minnetonka is at the elevation of 928.9. Precipitation year to date is two inches  
213 above normal. The MCWD opened Grays Bay dam on May 22. Minnehaha Creek at  
214 Grays Bay is flowing at 12 cubic feet per second. Lake Minnetonka loses seven times  
215 this volume each day through evaporation.
- 216  
217

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- 218 3. Staff and consultants have continued to evaluate the construction problems with the  
219 Minnehaha Preserve Boardwalk. SRF prepared a defective work notice and the  
220 contractor JTS will propose remedial work within about a week. Staff have also  
221 independently inspected 60% of the boardwalk and will complete that inspection next  
222 week. So far, there has been an issue with 115 of 116 headers. In response to a question  
223 from Manager Olson, the Boardwalk remains open at present, but may close during  
224 remedial work.  
225
- 226 4. Kayla Westerlund and Ben Rolland will be leaving the MCWD's permitting program,  
227 and the MCWD is grateful for their time and service to the District.  
228
- 229 5. Susan Du's recent article in the Star Tribune provided a lengthy profile of the MCWD's  
230 work in the Minnehaha Creek corridor.  
231  
232

233 **Adjournment**

234  
235 There being no further business, President White declared the meeting of the Board of  
236 Managers adjourned at 11:17 p.m.  
237

238 Respectfully submitted,  
239

240  
241 Eugene Maxwell, Secretary  
242  
243