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3 **MINUTES OF THE REGULAR MEETING OF**
4 **THE MINNEHAHA CREEK WATERSHED DISTRICT**
5 **BOARD OF MANAGERS**
6

7 **August 11, 2016**
8
9

10 **CALL TO ORDER**

11
12 President Sherry White called the regular meeting of the Minnehaha Creek Watershed District
13 Board of Managers to order at 6:45 p.m., at the District office, 15320 Minnetonka Boulevard,
14 Minnetonka, Minnesota 55345.
15

16 **MANAGERS PRESENT**

17
18 Sherry White, Brian Shekleton, Richard Miller, Pamela Blixt, William Olson, William Becker.
19

20 **MANAGERS ABSENT**

21
22 Kurt Rogness.
23

24 **DISTRICT STAFF AND CONSULTANTS PRESENT**

25
26 Lars Erdahl, Administrator; Becky Christopher, Lead Planner-Project Manager; Michael
27 Hayman, Planner-Project Manager; Tiffany Schaufler, Project and Land Program Manager;
28 Katherine Sylvia, Permitting Program; James Wisker, Planning and Projects Director; Laura
29 Domyancich, Project and Land Technician; Brett Eidem, Cost Share Grant Administrator; David
30 Mandt, Operations and Support Services Director; Renae Clark, Planner-Project Manager; Chris
31 Meehan, Consulting Engineer; Chuck Holtman, Counsel.
32

33 **APPROVAL OF AGENDA**

34
35 Manager White noted that item 10.3, Wolfe Pointe Condominiums cost share funding, is not an
36 action item; she also noted the Policy and Planning Committee (PPC) and Board meetings both
37 to be held on August 25 and that the Citizens Advisory Committee (CAC) report will be
38 presented by Manager Blixt and not Manager Olson. *Manager Shekleton moved and Manager*
39 *Miller seconded approval of the agenda. Upon vote, the motion carried 6-0.*
40

41 **CONSENT AGENDA**

42
43 *Manager Shekleton moved, Manager Miller seconded approval of the consent agenda,*
44 *consisting of approval of the minutes of the July 21, 2016 special meeting; the minutes of the*
45 *July 21, 2016 Joint Committee meeting; and the minutes of the July 28, 2016 regular meeting;*

46 *and adoption of Resolution 16-067 authorizing a contract with Wenck Associates for wetland*
47 *surveys and soil analysis, and providing as follows:*

48
49 ***NOW, THEREFORE, BE IT RESOLVED, that the Minnehaha Creek***
50 ***Watershed District Board of Managers hereby authorizes the District***
51 ***Administrator to execute a contract with Wenck Associates to conduct wetlands***
52 ***survey and soil analysis that is not to exceed \$15,000.***

53
54 *Upon vote, the motion carried 6-0.*

55
56 **REGULAR AGENDA**

57
58 **Board, Committee and Task Force Reports**

59
60 President White reported that on August 3 she and Manager Rogness attended a meeting of Non-
61 Point Education for Municipal Officials regarding watershed management plans; that on August
62 5 she participated in a discussion with the U.S. Army Corps of Engineers regarding project
63 funding modes; and that on August 8, she attended a presentation by Ms. Schaufler and Ms.
64 Domyancich on Jennings Bay flood mitigation. She also noted that on August 4, the combined
65 committees of the Board of Managers recommended that the Board formally adopt the following
66 policy decisions related to the 2017 budget and levy:

- 67
68
 - Do not increase the levy \$100,000 for General Operations legal budget
 - Draw down \$400,000 of General Operations fund balance
 - Do not increase the levy \$250,000 to manage the issue of delinquent taxes
 - Remove \$80,000 in capital project funding dedicated to MPRB Partnership
 - Consensus to increase levy by seven percent to fund implementation of the
69 Minnehaha Preserve connection capital project in 2017.

70
71
72
73
74
75 ***Manager Miller moved, Manager Becker seconded adoption of these policy decisions. Upon***
76 ***vote, the motion carried 6-0.***

77
78 Manager Miller reported that the PPC discussed focal and opportunity-based approaches to
79 funding and discussed member participation in committee meetings.

80
81 Manager Blixt reported that the CAC met last evening. It discussed community events; staff
82 presented a water quality report; there was a report on budget discussions to date; and Ms.
83 Mamayek reported on the creek cleanup and solicited thoughts on the upcoming District 50th
84 anniversary.

85
86 Manager White noted the upcoming meeting and event schedule as presented on the agenda.

87
88
89

90 **ACTION ITEMS**

91
92 **Approval of Highway 101 Causeway Shoreline Reconstruction Design and Authorization to**
93 **Solicit Bids**

94
95 Ms. Schaufler presented the proposed design for the causeway reconstruction. She reported that
96 representatives of Hennepin County, the Cities of Wayzata and Minnetonka and the Bushaway
97 Task Force have reviewed the design and have no further substantial comments. The Task Force
98 emphasized the important of retaining visual lines and expressed appreciation for the District's
99 work. The design encompasses 900 linear feet along Wayzata Bay. Of that, 775 feet will consist
100 of toe boulders with a planting bed above, while 125 feet will consist of riprap with plant
101 material. The sheet pile recently was installed as a part of the County road work. She noted that
102 the planting list is constrained by the need for plants that will thrive in the somewhat difficult
103 conditions along the causeway.

104
105 Ms. Schaufler noted that the engineer's estimate for the work is about \$972,000, which includes
106 a 10 percent contingency. This assumes that work will occur both from the road and by barge.
107 The present project estimate, including the flood volume replacement work in Minnetrista, is at
108 \$1.37 million, which is \$230,000 under budget. The intent is to build in October and November,
109 with a three-year vegetation maintenance element.

110
111 Manager Blixt asked as to the project life. Mr. Meehan replied that the sheet pile should be good
112 for at least 50 years. He noted also that the County is not anticipating any future widening of the
113 road that would disrupt the project.

114
115 ***Manager Miller moved, Manager Olson seconded adoption of resolution 16-064, providing as***
116 ***follows:***

117
118 ***NOW, THEREFORE, BE IT RESOLVED, that the Minnehaha Creek***
119 ***Watershed District Board of Managers hereby approves the following design***
120 ***for the causeway element of the Project; and***

121
122 ***BE IT FURTHER RESOLVED that the MCWD Board of Managers authorizes***
123 ***staff to solicit bids for construction.***

124
125 ***Upon vote, the motion carried 6-0.***

126
127 **Construction Contract with Blackstone for Gray's Bay Dam Maintenance**

128
129 Ms. Domyancich reviewed the condition of the dam structure and the proposed maintenance. She
130 noted that the work is based on the District engineer's inspection and technical memorandum
131 that followed the staff development of an Infrastructure Maintenance Plan establishing operation
132 and maintenance protocols for the District's improvements. Here, work will occur on one gate at
133 a time, so that two gates will remain fully operational at all times. The maintenance is being

134 scheduled for the autumn when expected flows are lower. The contractor will be responsible to
135 protect the public during the work and staff have coordinated with the City of Minnetonka.
136

137 Ms. Domyancich reported that staff solicited just one quote, from Blackstone Contractors, as
138 both staff and the District engineer believe that Blackstone is an experienced and knowledgeable
139 contractor with respect to the work to be done. The price of the work is under \$25,000 so
140 competitive quotes are not obligatory.
141

142 ***Manager Miller moved, Manager Blixt seconded to adopt resolution 16-065, providing as***
143 ***follows:***
144

145 ***NOW, THEREFORE, BE IT RESOLVED that the District Administrator is***
146 ***authorized, on advice of counsel, to enter into a contract with Blackstone***
147 ***Contractors in the amount of \$20,862 for maintenance of the Gray's Bay***
148 ***Dam/Headwaters Control Structure; and***
149

150 ***BE IT FURTHER RESOLVED that the Board establishes a project***
151 ***construction budget in the not-to-exceed amount of \$22,948.20 and authorizes***
152 ***the District Administrator, in his judgment and on the recommendation of the***
153 ***District engineer, to authorize change orders obligating the District up to that***
154 ***amount; and***
155

156 ***BE IT FINALLY RESOLVED that the District Administrator is authorized to***
157 ***issue a supplemental work order to the District engineer for construction***
158 ***oversight, shop visits to guide repair work, and inspection of the repaired and***
159 ***replaced equipment in an amount not to exceed \$1,700.***
160

161 Responding to Manager Miller, Ms. Domyancich advised that the dam structure was built in
162 1979, and the only work performed on it since then occurred in 1989. ***Upon vote, the motion***
163 ***carried 6-0.***
164

165 Cost Share Funding-Wolfe Pointe Condominiums
166

167 Mr. Eidem presented the proposed raingarden project to treat one acre of parking area adjacent to
168 the Wolfe Pointe Condominiums in the City of St. Louis Park. Before the Board of Managers
169 may approve funding, a public hearing and official project ordering is required. Therefore no
170 Board action is proposed tonight.
171

172 Mr. Eidem reviewed the raingarden design, which includes a catchment to remove solids and a
173 spreader to ensure sheet flow into the raingarden for a what is a fairly large area of capture. The
174 project will be directly adjacent to public property of the City of St. Louis Park and highly
175 visible from bike trails and other recreational areas. Mr. Eidem noted staff's decision to consider
176 the grant outside of the regular fall cycle in order to facilitate the project's installation in advance

177 of the winter. The project was reviewed by both the CAC review committee and the full CAC
178 and is recommended to the Board.

179
180 The project total estimate is \$39,317, however District staff have determined that a portion of
181 that cost is for the purpose of installing more mature plantings then is essential and therefore is
182 proposed as not eligible for cost share funding. The total cost share funding proposed by staff is
183 not to exceed \$16,368.

184
185 Mr. Eidem further clarified that about half of the project will be situated on city land. The City
186 has provided a template for an encroachment agreement and is enthusiastic about signage visible
187 from the bicycle trail. Maintenance will be the responsibility of the condominium association and
188 the encroachment agreement will specify that.

189
190 Manager Blixt asked what impact the project would have on the water quality of Wolfe Lake.
191 Mr. Eidem replied that the District presently doesn't monitor Wolfe Lake water quality. The
192 project will reduce phosphorous loading by two pounds per year. This will make a small
193 difference but staff also hopes that the visibility of the project will lead to more water quality
194 efforts by others within the catchment.

195
196 Manager Becker asked as to the duration of the maintenance obligation. Mr. Eidem replied that
197 staff prefers that maintenance be memorialized in perpetuity by a recorded declaration, but that
198 in this case is contemplating a 15-year maintenance obligation in the agreement, as consistent
199 with the basic longevity of this type of raingarden installation.

200
201 **BOARD DISCUSSION ITEMS**

202
203 **Proposed Planning, Projects, Permitting and Maintenance 2017 Budget/Work Plans**

204
205 Ms. Christopher presented a summary of the proposed budget. Ms. Sylvia reviewed the
206 permitting department work plan, encompassing permit review, field monitoring and
207 compliance, and policy and partnership development. Mr. Wisker added that presently two
208 District representative positions in the permitting department are vacant. One has been vacant for
209 some time awaiting completion of strategic planning, and the second will be vacant starting
210 tomorrow. In light of record permit applications, the department would intend to replace the
211 latter at this time.

212
213 Ms. Christopher reviewed the work plan for planning and projects. This includes watershed
214 management plan revision, strategic planning, Minnehaha Creek Greenway planning, Six Mile-
215 Halsted Bay and responsive planning. The overall budget is proposed to decrease by \$122,000.

216
217 Ms. Schaufler reviewed the work plan for project maintenance and land management,
218 encompassing vegetation maintenance efficiencies, implementation of the Infrastructure
219 Maintenance Plan and work in conjunction with Great River Greening grant funds. Overall, the
220 budget will increase by \$48,000. Ms. Schaufler also spoke to the proposed work plan for flood

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221 repairs utilizing Federal Emergency Management Agency (FEMA) grant funds to leverage
222 District efforts in coordination with, principally, the City of Minneapolis and the Minneapolis
223 Park and Recreation Board. The overall budget is proposed to add \$60,000 in levied funds to
224 \$281,000 of FEMA funds and a \$40,000 Clean Water Fund Accelerated Implementation grant.
225

226 Mr. Hayman described the land conservation work plan, which will involve spending of over \$1
227 million, almost all for the purpose of debt servicing. The fund also will be responsible for an
228 interfund loan repayment to the Minnehaha Preserve fund.
229

230 Mr. Hayman also discussed the proposed \$1.5 million budget for 325 Blake Road. Funds will
231 support design and initial construction of the regional stormwater facility as well as the Lake
232 Street stormwater conveyance work associated with that facility. The District expects that a
233 substantial portion of this spending will be reimbursed in 2018 through Public Facilities
234 Authority - Points Source Implementation Grant (PSA-PSIG) 50-percent reimbursement funds.
235 Additional spending will support the development of demolition plans, environmental
236 remediation preparation and master development for the site.
237

238 Manager Shekleton asked if the availability of PSA-PSIG funds would depend on the new
239 bonding bill. Manager Miller commented that the PSA obtains its funding from variety of federal
240 and state sources and so is not heavily dependent on biannual bonding bills.
241

242 Ms. Clark spoke to the Arden Clark project. The 2017 budget is \$94,000 to complete design and
243 permitting. She briefly reviewed the design and engagement process ahead.
244

245 Operations and Support 2017 Budget/Work Plans
246

247 Mr. Mandt reviewed the budget changes from 2016 to 2017. Under General Operations, changes
248 in funding for staff benefits, contracted services, insurance and building utilities will result in a
249 budget increase of about \$61,000. No budget change is proposed for Information Technology or
250 Governmental Relations. Overall a budget increase of about five percent is proposed.
251

252 Responding to Manager Shekleton, Mr. Mandt noted that about \$110,000 is available in a fund
253 assigned for contingencies associated with the prior move into the building. Other program
254 activity is anticipated but staff is waiting to be able to coordinate with a newly selected managed
255 service provider. Staff expects to come back to the Board at the end of First Quarter 2017 to
256 discuss.
257

258 ***Manager Shekleton moved, Manager Miller seconded to accept the two work plans. Upon vote,***
259 ***the motion carried 6-0.***
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265 **ADMINISTRATOR’S REPORT**

266

267 Mr. Erdahl reported that August 3 “Workshop on the Water” staff presentations were well
268 received and it was a good event toward enhancing partnerships with attendees.

269

270 Mr. Erdahl also noted a September 12 event of the Minnesota Aquatic Invasive Species Resource
271 Center. He reported that the Wayzata City Council approved the Lake Effect plan, which will
272 continue moving forward. This evening, the PPC met.

273

274 Mr. Erdahl noted staff presentations recently concerning dog waste management and shoreline
275 gardening, and involvement at a Bakken Museum event. He also presented a letter received from
276 Senator Klobuchar thanking the District for the creek clean-up.

277

278 **ADJOURNMENT**

279

280 There being no further business, the regular meeting of the Minnehaha Creek Watershed District
281 Board of Managers was adjourned at 8:05 p.m.

282

283 Respectfully submitted,

284

285

286

287 Kurt Rogness, Secretary