

1
2
3
4
5
6
7
8
9

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

December 17, 2020

10
11
12
13
14
15
16
17
18
19
20
21
22

CALL TO ORDER

The regular meeting of the Minnehaha Creek Watershed District Board of Managers was called to order by President Sherry White at 7:00 p.m. on December 17, 2020 President White noted that this meeting was convened electronically through WebEx, pursuant to Minnesota Statutes 13D.021, due to the COVID-19 pandemic and her determination that it is not prudent for the Board of Managers, or any committee thereof, to meet in person, and it is not feasible to provide for any member of the Board, or of the public, to meet at the regular meeting location. For this reason, until this determination is withdrawn by the District's presiding officer, chief legal counsel or chief administrative officer, the meetings of the Board and its committees will be convened by telephone or other electronic means as the presiding officer determines appropriate. All such meetings will be noticed and conducted in accordance with §13D.021 and all other applicable terms of the Open Meeting Law. President White noted that, pursuant to §13D.021, all votes will be by roll call.

23 President White called the roll to note attendance:

24
25 Hejmadi: Present
26 Loftus: Present
27 Rogness: Present
28 Miller: Present
29 Olson: Present
30 Maxwell: Present
31 White: Present.

32
33
34

DISTRICT STAFF AND CONSULTANTS PRESENT

35 James Wisker, Administrator; Kim LaBo, Education and Engagement Coordinator; Anna Brown,
36 Planner – Project Manager; Michael Hayman, Project Planning Manager; Alex Steele, GIS
37 Technician; Chris Meehan, Consulting Engineer; Louis Smith, Counsel.

38
39
40

MATTERS FROM THE FLOOR

41 None.

42
43
44

APPROVAL OF AGENDA

45 *It was moved by Manager Miller, seconded by Manager Maxwell to approve the agenda as*
46 *distributed. Upon vote, roll call vote, the motion carried 7-0 as follows:*

47
48 Hejmadi: Aye
49 Loftus: Aye
50 Rogness: Aye
51 Miller: Aye
52 Olson: Aye
53 Maxwell: Aye
54 White: Aye

55
56 **CONSENT AGENDA**

57
58 *It was moved by Manager Miller, seconded by Manager Hejmadi, to approve the consent*
59 *agenda, consisting of approval of the December 3, 2020 board meeting minutes; the General*
60 *Checking Account consisting of checks 41378 through 41420 in the amount of \$343,647.69;*
61 *electronic funds withdrawals in the amount of \$25,683.07; manager per diems and*
62 *reimbursement direct deposits in the amount of \$1,000.00; employee reimbursements - direct*
63 *deposits in the amount of \$36.83; and payroll direct deposits in the amount of \$148,442.25; for*
64 *Total General Checking expenses of \$518,809.84; and the surety checking account consisting*
65 *of a bank account service charge of \$30.00; electronic fund transfer of \$56,100.00 for 325*
66 *Blake Road Refinance; and the following resolutions:*

67
68 **Resolution 20-087: Approval of Employee, Volunteers, Board Managers and District**
69 **Partnerships Recognition Policy**

70
71 *NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek*
72 *Watershed District Board of Managers hereby adopts the*
73 *MCWD Employees, Volunteers, Board Managers and District Partnerships*
74 *Recognition Policy;*

75
76 **Resolution 20-093: Approval of 2021 CAC Appointments**

77
78 *NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek*
79 *Watershed District Board of Managers hereby appoints*
80 *the following individuals to the 2021 Citizen Advisory Committee:*

81
82 *Emily Balogh*
83 *William C. Bushnell*
84 *Daniel S. Flow*
85 *Brian Girard*
86 *Drew McGovern*
87 *Richard Nyquist*
88 *Dave Oltmans*
89 *Cassandra Ordway*
90 *Peter Rechelbacher*

91 *Marc E. Rosenberg*
92 *John F. Salditt*

93

94 *Upon roll call vote, the motion carried, 7-0 as follows:*

95

96 Hejmadi: Aye

97 Loftus: Aye

98 Rogness: Aye

99 Miller: Aye

100 Olson: Aye

101 Maxwell: Aye

102 White: Aye

103

104 **REGULAR AGENDA**

105

106 **Board, Committee and Task Force Reports**

107

108 President's Report: President White reported that she and Manager Maxwell attended a
109 very productive meeting of the liaisons for the 325 Blake Road redevelopment project.
110 Manager Maxwell expressed his appreciation for good staff work, and said that he had
111 the sense that it will be possible to move ahead with support for the feasibility
112 determination for the next step in the process.

113

114 MAWD Delegates: President White expressed pride in the District's accomplishments
115 through a challenging year, and her good wishes for all in the new year.

116

117 Policy and Planning Committee Report: Manager Rogness reported that the Committee
118 received a staff briefing on local elections and a legislative update; and received an
119 update on Turbid Lundsten Corridor planning.

120

121 Citizens Advisory Committee Report: Mr. Wisker noted that Manager Hejmadi had been
122 unable to attend this meeting due to illness; the CAC received and overview of the
123 upcoming CAC assessment process and nominated an executive committee for
124 consideration at its upcoming January meeting.

125

126 Minnesota Association of Watershed Districts: President White provided a summary of
127 the MAWD virtual annual conference and meeting, including an adoption of the
128 association's annual budget, election of its board of directors, and adoption of four policy
129 resolutions. Manager Olson noted the informative presentation about the impacts of
130 climate change on lake ecology.

131

132 President White stated that the upcoming schedule of meetings is as noted in the agenda.

133

134

135
136
137
138
139
140
141
142
143
144
145
146
147
148
149
150
151
152
153
154
155
156
157
158
159
160
161
162
163
164
165
166
167
168
169
170
171
172
173
174
175
176
177
178

Action Items

Resolution 20-094: Approval of 2021 CAC Assessment Process

Mr. Kim LaBo appeared before the Board of Managers to review the request for board action. She reviewed the broad purposes of the CAC and the process of discovery to gain insights and frame options for the effective functioning of the CAC.

It was moved by Manager Rogness, seconded by Manager Hejmadi to adopt Resolution 20-094 as follows:

NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek Watershed District Board of Managers authorize District staff to utilize this identified process to conduct an assessment of the District's Citizen Advisory Committee.

Upon roll call vote, the motion carried, 7-0 as follows:

Hejmadi: Aye
Loftus: Aye
Rogness: Aye
Miller: Aye
Olson: Aye
Maxwell: Aye
White: Aye

Resolution 20-095: Approval of Plans and Specs for Auburn Barrier Construction
Resolution 20-096: Approval of Agreement with Three Rivers Park District for Auburn Barrier

Ms. Anna Brown appeared before the Board of Managers to review the requests for Board action. She explained that this would be the fourth and last carp barrier to be constructed with funding from the Lessard Sams Outdoor Heritage Commission grant. She reviewed the deferred construction of the barrier due to site conditions and cost concerns, and the new plans to install the barrier at a better location. She also noted that the Three Rivers Park District had approved the cooperative agreement in 2019, but has been kept informed about the delays and change of plans. Upon a question from Manager Loftus, Ms. Brown expressed confidence that these changes will be likely approved and found conforming to the grant requirements.

It was moved by Manager Maxwell, seconded by Manager Olson to adopt Resolution 20-095 as follows:

179
180
181
182
183
184
185
186
187
188
189
190
191
192
193
194
195
196
197
198
199
200
201
202
203
204
205
206
207
208
209
210
211
212
213
214
215
216
217
218
219
220
221

NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek Watershed District Board of Managers approves the plans for barrier construction at the outlet of West Auburn Lake; and

BE IT FURTHER RESOLVED that the MCWD Board of Managers authorizes staff to solicit quotes for construction.

Upon roll call vote, the motion carried, 7-0 as follows:

Hejmadi: Aye
Loftus: Aye
Rogness: Aye
Miller: Aye
Olson: Aye
Maxwell: Aye
White: Aye

It was moved by Manager Hejmadi, seconded by Manager Rogness to adopt Resolution 20-096 as follows:

NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek Watershed District Board of Managers authorizes the Board President, on advice of Counsel, to execute a cooperative agreement with Three Rivers Park District for the construction of the Auburn carp barrier.

Upon roll call vote, the motion carried, 7-0 as follows:

Hejmadi: Aye
Loftus: Aye
Rogness: Aye
Miller: Aye
Olson: Aye
Maxwell: Aye
White: Aye

Resolution 20-097: Approval of Contract Amendment for Wassermann Construction Oversight Services

Ms. Brown reviewed the request for board action. She explained that because the construction schedule has been extended, the allocation for construction oversight services needs revision.

222 ***It was moved by Manager Olson, seconded by Manager Hejmadi to adopt Resolution***
223 ***20-097 as follows:***

224

225 ***NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek***
226 ***Watershed District Board of Managers approves an amendment to the***
227 ***construction administration contract in an amount not to exceed \$12,285.00.***

228

229 ***Upon roll call vote, the motion carried, 7-0 as follows:***

230

231 Hejmadi: Aye
232 Loftus: Aye
233 Rogness: Aye
234 Miller: Aye
235 Olson: Aye
236 Maxwell: Aye
237 White: Aye

238

239 325 Blake Road Restoration and Redevelopment

240

241 Resolution number: 20-098: Positive Determination of the Feasibility Milestone and
242 Authorization to Solicit Interest in Potential Redevelopment of the 325 Blake Road Site;

243

244 20-099: Authorization to Enter into a Redevelopment Advisory Services Agreement with
245 Shenandoah Consulting Group, LLC

246

247 Mr. Michael Hayman appeared before the Board of Managers to review the requests for board
248 action. He noted that this project is arriving at an important occasion and is well-positioned for
249 success. Mr. Hayman described the context for the feasibility milestone in the cooperative
250 agreement with the City of Hopkins, and noted the Board's leadership in promoting a 'water-
251 first' approach to the redevelopment of the site. He noted the importance of policy maker
252 engagement and the diligent efforts to discern the value of the site and an understanding of
253 various factors that impact the financial success of the project. Mr. Hayman described recent
254 efforts to integrate and align the design of public improvements and the private redevelopment of
255 the site.

256

257 Manager Maxwell stated that he was very pleased with the two public and private tracks
258 becoming aligned, and he noted the enthusiasm that the liaison committee members and staff felt
259 for the direction of the project.

260

261 ***It was moved by Manager Miller, seconded by Manager Maxwell to adopt Resolution 20-098***
262 ***as follows:***

263

264 ***NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek Watershed***
265 ***District Board of Managers hereby makes a positive determination of the feasibility***

266 *milestone set forth in the cooperative agreement and authorizes initiation of the*
267 *developer engagement process through a letter of interest solicitation for potential*
268 *redevelopment of the 325 Blake Road site.*
269

270 Manager Miller stated that he was proud of the work accomplished so far, and appreciated the
271 comprehensive approach. Manager Hejmadi stated that appreciated the thorough staff work and
272 the effort to gain outside perspectives. Manager Rogness concurred, and stated that he
273 appreciated the sophistication of the process, and the great progress made over the past year. He
274 noted HDR's involvement with the Fourth Ward project in Atlanta and asked that a video of that
275 project be shared. President White stated her appreciation for the understanding of the value of
276 ecosystem services in the project vision.
277

278 Mr. Hayman noted plans for a third manager to participate in the developer selection process
279 pursuant to the cooperative agreement. Manager Miller suggested that Manager Hejmadi would
280 be a good choice, and Manager Hejmadi said that he would be interested and willing to serve.
281 The managers noted that this selection would be made at a future meeting.
282

283 *There being no further discussion, upon roll call vote, the motion carried, 7-0 as*
284 *follows:*
285

286 Hejmadi: Aye
287 Loftus: Aye
288 Rogness: Aye
289 Miller: Aye
290 Olson: Aye
291 Maxwell: Aye
292 White: Aye
293

294 *It was moved by Manager Miller, seconded by Manager Maxwell to adopt Resolution 20-099*
295 *as follows:*
296

297 *NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek Watershed*
298 *District Board of Managers hereby authorizes the District Administrator, on advice of*
299 *counsel, to enter into a contract with Shenandoah Consulting Group, LLC for*
300 *redevelopment advisory services in the amount of \$50,000, and authorizes the*
301 *Administrator to execute change orders in his discretion up to an additional 10% of the*
302 *proposal fee, for a not-to-exceed amount of \$55,000.*
303

304 *Upon roll call vote, the motion carried, 7-0 as follows:*
305

306 Hejmadi: Aye
307 Loftus: Aye
308 Rogness: Aye
309 Miller: Aye

Minutes of the Regular Meeting
Minnehaha Creek Watershed District
Board of Managers
12-17-2020

310 Olson: Aye
311 Maxwell: Aye
312 White: Aye

313

314 **Staff Updates**

315

316 Strategic IT Plan – Technology Update

317

318 Mr. Alex Steele appeared before the Board of Managers and reviewed the status of the District's
319 technology update and the data sharing implications of this work. The managers thanked Mr.
320 Steele for his presentation.

321

322 Administrator's Report

323

324 Mr. Wisker reported on the following items:

325

326 1. The District's consulting engineering firm, Wenck, will be acquired by Stantec. Mr.
327 Chris Meehan noted that this will enrich the resources offered to clients but otherwise
328 represent no change in delivery of services to the District;

329

330 2. Mr. Wisker expressed his appreciation to the entire team of Board, staff, consultants and
331 volunteers for great collaboration and drive to achieve many important things for the
332 watershed.

333

334 **Adjournment**

335

336 There being no further business, the meeting of the Board of Managers adjourned at 9:13 p.m.

337

338 Respectfully submitted,

339

340

341

342 Kurt Rogness, Secretary