

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

August 8, 2019

CALL TO ORDER

The regular meeting of the Minnehaha Creek Watershed District was called to order by President Sherry White at 7:20 p.m. on August 8, 2019, at the MCWD office, 15320 Minnetonka Boulevard, Minnetonka, Minnesota.

MANAGERS PRESENT

Sherry White, William Olson, Richard Miller, Kurt Rogness, Jessica Loftus, Eugene Maxwell, Arun Hejmadi.

MANAGERS ABSENT

None.

DISTRICT STAFF AND CONSULTANTS PRESENT

James Wisker, Administrator; Becky Christopher, Policy Planning Manager; Tom Dietrich, Permitting Program Manager; Cathy Reynolds, Operations Manager; Will Roach, Permitting Assistant; Gabriel Sherman, Planner-Project Manager; Chris Meehan, Consulting Engineer; Michael Welch, Counsel.

MATTERS FROM THE FLOOR

None.

APPROVAL OF AGENDA

Manager Miller moved and Manager Olson seconded approval of the agenda. Upon vote, the motion carried 5-0.

INFORMATION ITEMS AND CORRESPONDENCE

Introduction of New Staff

Michael Hayman introduced Gabriel Sherman, who is joining the planning department. Mr. Sherman described his background in urban planning and prior position at the Massachusetts Department of Transportation. He noted that his educational background is in environmental planning generally. The Board of Managers welcomed Mr. Sherman.

(Kurt Rogness and Arun Hejmadi arrived, 7:23 p.m.)

CONSENT AGENDA

Manager White requested discussion of the July 25 minutes on the action agenda.

BOARD, COMMITTEE AND TASK FORCE REPORTS

Manager White stated that she will be attending with James Wisker a meeting of administrators tomorrow to discuss strategy on legislative threats to watershed district authority and that she participated in the final onboarding meeting for Manager Gene Maxwell.

Manager Loftus reported from the meeting of the Operations and Planning Committee, nothing that the meeting focused on the 2020 budget which will be the subject of a public hearing on August 22. She said that the agenda also included an update on the information technology plan with Cathy Reynolds and the consultant for this multiyear project.

PUBLIC HEARINGS AND PRESENTATIONS

Annual Public Hearing on the Storm Water Pollution Prevention Plan

Becky Christopher noted that MCWD must annually present its Stormwater Pollution Prevention Plan as part of its obligations under the Municipal Separate Storm Sewer System program. She stated that this evening the District is presenting the SWPPP for comment from the public, noting that no written comments have been received. Manager White noted that there are no members of the public in attendance to comment on the plan but she confirmed with Ms. Christopher that the District needs to bring some elements of its program up to speed with new state requirements. Ms. Christopher noted that the new MS4 general permit is draft at this point and the District has commented on it in coordination with some of the cities which rely on MCWD for compliance.

There being no commenters in attendance, Manager White closed the public hearing.

Permit 19-014: 3017-3025 East Calhoun Parkway, Minneapolis

Will Roach presented the review of a planned multi-family residential project on three properties on the east side of Bde Maka Ska in Minneapolis. Mr. Roach explained that the project is on the agenda tonight and the permit is up for consideration by the Board of Managers because a neighbor who received the notice of the application requested that it be heard by the managers. After discussion of the individual's concerns with staff, which principally revolved around runoff to downgradient properties, the individual did not withdraw the request.

Mr. Roach stated that the lots on the project will be combined and reviewed the project compliance with the District rule requirements. He stated that the District's principal concerns are stormwater runoff and compliance oversight.

Manager Miller pointed out that the City of Minneapolis has removed the single-family home zoning designation and that this may led to an increase in the amount of impervious on Minneapolis lots, which could exacerbate excess runoff and high-water conditions in the lower part of the watershed. Mr. Roach noted that concern and said that the applicant is complying with all applicable MCWD rules. Mr. Wisker stated that staff can look at tributary area to the chain of lakes, and the opportunity for tear-down/rebuilds and the potential magnitude of downstream impacts. Mr. Roach completed review of the applicant's compliance with stormwater requirements, noting that because the three lots combined will still amount to less than one acre, the only stormwater management requirement is that the applicant include best management practices on the project site. He stated that nonetheless the applicant is providing stormwater management in compliance with the District requirements. ***Manager Miller moved and Manager Rogness seconded approval of the application 19-014.*** In response to questions from Manager Olson, Mr. Roach described some of the features of the project site. In response to a question from Manager Loftus regarding the District's ability to require maintenance, Mr. Roach stated that the maintenance declaration required by the District must be recorded on the property, and Tom Dietrich added that the maintenance requirements run in perpetuity with the property. Michael Welch stated that the maintenance declaration is a legally enforceable document. ***Upon vote, the motion carried 7-0.***

Manager Miller noted that with regard to the zoning issues, the District needs to give consideration to how it plays an appropriate role in making diversity work in watershed housing and population, while dealing with runoff and flooding issues. Mr. Wisker stated that the topic will be on the table in the District's ongoing discussions with the Minneapolis Park and Recreation Board and the city. Manager Loftus noted that while the project on the agenda this evening did not exceed an acre, hard surface did increase substantially. Mr. Wisker noted that staff will bring back a preliminary review of issues that have been raised by Manager Miller, but also will look at the impervious triggers in the context of amending its rules and deciding whether the triggers for stormwater-management requirements need to be adjusted. He stated that affordability of housing has also been raised as an issue in that context.

Mr. Welch noted that Nine Mile Creek Watershed District has undertaken some considerable work to address similar dynamics around tear-down/rebuild projects in its watershed. The managers asked him to coordinate with Mr. Wisker for possible review of Nine Mile's analysis and work.

Resolution 19-071: Authorization to Release RFP for Banking Services

Cathy Reynolds presented a request to the Board of Managers to authorize a request for banking services. She explained the major elements of the request and the history of the District's engagement with banking services. ***Manager Miller moved and Manager Maxwell seconded adoption of Resolution 19-071.*** Manager White noted that it was an education to her to read the detailed request for board action provided. In response to a question from Manager Maxwell, Ms. Reynolds noted that the District's consultant, Baker Tilley, has prepared a list of banks to

Minutes of the Regular Meeting
Minnehaha Creek Watershed District
Board of Managers
8-8-2019

whom the request will be sent. The League of Minnesota Cities has been helpful in developing that list. ***Upon vote, the motion carried 7-0.***

Minutes of the July 25, 2019 Board of Managers Meeting

Manager White noted a need to correct the spelling of the WISKI database in the minutes and that the liaison mentioned on line was for the strategic communications, not planning, on line 78. ***Manager White moved and Manager Rogness seconded approval of the minutes as amended. Upon vote, the motion carried 7-0.*** Mr. Welch noted that several nonsubstantive typos were corrected as well.

Administrator's Report

Mr. Wisker stated that Alex Steele of the District staff has been appointed to the Minnesota Geospatial Advisory Council and will be reporting back and benefiting District operations through his engagement in that entity.

Brian Beck and other research and monitoring staff have been in the field working on carp tagging and are working with Long Lake Waters in engaging their members and will be preparing for future events in the Long Lake subwatershed.

Mr. Wisker stated that this strategic communications effort is working with Himle Horner, making the rounds to get feedback on the District's strategic communications plan. He stated that on Tuesday August 20 at Minnetonka Community Center, the website consultant Vendi and Telly Mamayek will conduct focus groups regarding the revisions to the District website and other programming.

He stated that Mr. Roach and Erin Manlick and Cole Thompson has been certified as wetland delineators, so MCWD now has three certified wetland delineators on staff.

He noted that the Arden Park project water levels and the tree shelters are being built, so the park is coming together.

He stated that water levels are finally coming back to normal and that the flow at both Lake Nokomis and Lake Minnetonka is at the ordinary high water level and rate of 75 cubic feet per second. Manager Miller noted the need to enter something into the record on the Lake Minnetonka vegetative and invasive species master plan.

Adjournment

There being no further business, the meeting of the board of managers adjourned at 7.58 p.m.

Respectfully submitted,

Minutes of the Regular Meeting
Minnehaha Creek Watershed District
Board of Managers
8-8-2019

Kurt Rogness, Secretary