

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

June 23, 2022

CALL TO ORDER

The regular meeting of the Minnehaha Creek Watershed District was called to order by Vice President William Olson at 7:12 p.m. on June 23, 2022.

MANAGERS PRESENT

William Olson, Jessica Loftus, Richard Miller, Arun Hejmadi, and Stephen Sando.

MANAGERS ABSENT

Sherry White, Eugene Maxwell.

DISTRICT STAFF AND CONSULTANTS PRESENT

James Wisker, Administrator; Tiffany Schaufler, Project and Land Manager; Michael Hayman, Project Planning Manager; Chris Meehan, District Consulting Engineer; Real Estate Counsel Alex Sellke; and Louis Smith, District Counsel.

APPROVAL OF AGENDA

It was moved by Manager Miller, seconded by Manager Loftus to approve the Agenda as distributed. Upon vote, the motion carried 5-0.

MATTERS FROM THE FLOOR

None.

CONSENT AGENDA

It was moved by Manager Hejmadi, seconded by Manager Miller, to approve the items on the Consent Agenda consisting of approval of the June 9, 2022, Board meeting minutes, approval of the General Check Register, including check numbers 41928 through 41961 in the amount of \$209,057.21, electronic funds withdrawals of \$41,792.81, Managers Per Diems and Reimbursements of \$3,325.19, employee reimbursements of \$2,827.12, payroll electronic funds withdrawals and disbursements of \$146,025.70 for a total of \$403,028.03; the Surety Check Register for check number 2138 in the amount of \$400.00 and a bank service charge of \$27.00; and the Wire Check Register in the amount of \$42,075.00 for payment to Wells Fargo for 325 Blake Road refinance; and the following resolution:

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Resolution 22-039: Authorization to Release the 2021 MS4 Annual Report to the Minnesota Pollution Control Agency

NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek Watershed District Board of Managers accepts the 2021 MS4 Annual Report and authorizes its release to the MPCA.

Upon vote, the motion carried 5-0.

BOARD, COMMITTEE AND TASK FORCE REPORTS

President's Report: Vice President Olson noted that there would be no President's Report in President White's absence.

Policy and Planning Committee Report: Manager Miller reported that the Committee received a presentation on Chapter 5 of the District strategic history review, which included a great discussion of the District's focus on Balanced Urban Ecology and learning from our mistakes.

Upcoming Meeting and Event Schedule: Vice President Olson directed the managers to the meetings listed on the agenda.

ACTION ITEMS

Resolution 22-040: Approval of the First Amendment to the 325 Blake Road Purchase and Sale Agreement

Mr. Michael Hayman appeared before the Board of Managers to review the request for board action. Mr. Alex Selke was present for the discussion as real estate counsel. Mr. Hayman explained that the request is to approve the first amendment to the real estate purchase agreement with Alatus Development, LLC, for the 325 Blake Road project, accelerating acquisition of 1.34 acres of property (Phase 1A) to facilitate affordable housing development in accordance with the City of Hopkins' award of housing revenue bonds from Minnesota Management and Budget. He reviewed the Board's previous discuss of this proposal from Alatus, and the risk analysis in terms of the role of affordable housing in the whole project. He noted updates to the Alatus proposal, including the detailed conditions set forth by the Board.

Following discussion, it was moved by Manager Hejmadi, seconded by Manager Sando to adopt Resolution 22-040 as follows:

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NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek Watershed District Board of Managers hereby approves the First Amendment to the 325 Blake Road Real Estate Purchase Agreement and authorizes the President to execute the amendment with any non-substantive changes in consultation with legal counsel;

BE IT FURTHER RESOLVED that the Board of Managers delegates authority to the District Administrator, on advice of counsel, to execute all closing documents on behalf of the District, to timely satisfy closing on the Phase 1A parcel on or before the July 8, 2022 deadline, in accordance with the First Amendment to the Real Estate Purchase Agreement.

Manager Miller requested a roll call vote. Upon roll call vote, the motion carried 5-0 as follows:

Hejmadi:	Aye
Loftus:	Aye
Miller:	Aye
Olson:	Aye
Sando:	Aye
White:	Absent
Maxwell:	Absent

DISCUSSION ITEMS

75% Design Briefing for the Minnehaha Creek Preserve Boardwalk Reconstruction

Ms. Tiffany Schaufler appeared before the Board of Managers to provide an update on the design plans for the Boardwalk reconstruction. Mr. Casey Black and Ms. Erin Hunker were present on behalf of SRF Consulting Group. Ms. Schaufler reviewed the refined scope of the project, noting the deletion of interpretive elements. She noted the boardwalk would be in the same alignment and use the helical piers, with a slight adjustment to the overlook area, which has had nuisance problems. She provided examples of recent SRF-designed projects and noted the lumber type, use category, and treatment based on industry standards.

In response to a question from Manager Miller, Mr. Black provided more information on wood treatments and noted comparison to boardwalks within the Three Rivers Park District. Ms. Schaufler noted attention to full life cycle costs, with these example projects lasting 10-15 years without significant repairs required. In response to a question from Manager Olson, Ms. Schaufler and Mr. Black reviewed the process for testing the wood materials in the field and also tagging and shipment source identification. Ms. Schaufler noted the cost estimate of \$1,425,000 would be refined at

presented at the July 14 meeting of the Operations and Programs Committee. A contract award is anticipated on September 22, with construction in November 2022 through March 2023.

In response to a further question from Manager Miller, Mr. Hayman confirmed the process of materials identification and inspection, which had also been reviewed by legal counsel. In response to a question from Manager Sando, Ms. Schaufler explained the reuse of the helical piers. In response to a question from Manager Hejmadi, Mr. Black noted the winter season work would be the best bid climate. In response to a question from Manager Olson, Mr. Black noted that the demolition and phased construction process would not be dictated by the design, but a matter left to the contractor; given likely full lumber delivery, demolition of the whole project is likely, rather than phased. Ms. Schaufler noted the construction access points on the site. In response to a question from Manager Loftus, Ms. Schaufler reviewed the updated maintenance protocol, and plans for closure during construction.

The managers thanked Ms. Schaufler, Mr. Black and Ms. Hunker for this presentation.

STAFF UPDATES

Administrator's Report

Mr. Wisker reported on the following items:

1. Water levels have decreased with a dry hot month of June, and precipitation year to date is approximately 1.5 inches below normal. Lake Minnetonka is at 929.0, and the control structure is open, releasing at 12 cubic feet per second. Minnehaha Creek is flowing at Hiawatha at 12 cubic feet per second.
2. Work is underway pursuant to the Morningside project cooperative agreement. A neighborhood newspaper in Minneapolis published an article unfavorable to the Minneapolis and Park Board collaboration with Edina.
3. The Star Tribune reported on the recent decision by the Minnesota Supreme Court concerning the Minneapolis 2040 Plan, noting that further environmental review is needed; this would include stormwater management review. A further briefing on any water resources issues involved here will be brought to a future board meeting.
4. The Land and Water Partnership publication will be released soon, and staff outreach conversations and meetings are underway. This partnership process is intended to provide community on ramps to high impact projects.

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5. Mr. Hayman noted that Mr. Wisker has just completed 17 years of service to the District, and noted that much of the District's success in chapter 5 of the history project is attributed to Mr. Wisker's leadership. The managers thanked Mr. Wisker for his service to the District.

Adjournment

There being no further business, Vice President Olson declared the meeting of the Board of Managers adjourned at 7:54 p.m.

Respectfully submitted,


Eugene Maxwell, Secretary