

**MEETING DATE:** February 23, 2017

**TITLE:** Authorization to enter into a Memorandum of Understanding with the City of Minneapolis and Minneapolis Park and Recreation Board and Issue a Request for Qualifications for the Integrated Planning of the Minnehaha Creek Subwatershed in Minneapolis

**RESOLUTION NUMBER:** 17-017

**PREPARED BY:** Tiffany Schaufler

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**TELEPHONE:** 952-641-4513

**REVIEWED BY:**  Administrator  Counsel  Program Mgr. (Name): James Wisker  
 Board Committee  Engineer  Other

**WORKSHOP ACTION:**

<input type="checkbox"/> Advance to Board mtg. Consent Agenda.	<input type="checkbox"/> Advance to Board meeting for discussion prior to action.
<input type="checkbox"/> Refer to a future workshop (date): _____	<input type="checkbox"/> Refer to taskforce or committee (date): _____
<input type="checkbox"/> Return to staff for additional work.	<input type="checkbox"/> No further action requested.
<input checked="" type="checkbox"/> Other (specify): Not reviewed at Board Workshop. Seeking approval at February 23, 2017 Board Meeting.	

**PURPOSE or ACTION REQUESTED:**

Authorize execution of a Memorandum of Understanding (MOU) between MCWD, the City of Minneapolis and the Minneapolis Park and Recreation Board. Authorize staff to issue a request for qualifications (RFQ) for the integrated planning of the Minnehaha Creek Subwatershed in Minneapolis.

**PROJECT/PROGRAM LOCATION:**

Minnehaha Creek Subwatershed within the City of Minneapolis

**PROJECT TIMELINE:**

- Feb/March 2017 – Execute MOU, issue RFQ

**PAST BOARD ACTION:**

- September 11, 2014: RES 14-074 – Authorization to contract with Wenck Associates to develop 2014 flood report (included performing a damage assessment on the District’s six major creeks to apply for FEMA funding)
- November 13, 2014 – Board discussion on the 2014 flood damage and FEMA process
- June 18, 2015 – FEMA funding approval update
- December 17, 2015: RES 15-101 – Acceptance of the 2014 MCWD Flood Report (included a summary of damage submitted to FEMA and maps of the damage locations)

**SUMMARY:**

Stormwater management along Minnehaha Creek has long been a priority for the District. The District has worked with the City of Minneapolis (City) and Minneapolis Park and Recreation Board (MPRB) on various analyses in recent years to identify opportunities for stormwater management and stream improvements on MPRB land along Minnehaha Creek.

In 2014, the District experienced record flooding resulting in substantial erosion and tree loss along Minnehaha Creek. Following the 2014 flooding, the District completed a damage assessment and received approximately \$511,000 in Federal Emergency Management Agency (FEMA) funding for streambank repair at 32 sites along Minnehaha Creek within MPRB property.

Additionally, the District has been selected for a \$35,952 Board of Soil and Water Resources (BWSR) Clean Water Fund grant which would fund a study to identify opportunities for stormwater management and stream improvements on MPRB land along Minnehaha Creek. This BWSR grant would allow the District to explore opportunities to align the FEMA flood repairs with stormwater management opportunities in the same vicinity which would allow the District to implement two complimentary water quality practices efficiently.

The District, City and MPRB share a responsibility for improving the environmental quality within the Minnehaha Creek subwatershed in Minneapolis and recognize the benefit of working in close partnership at the intersection of vision and mission of the respected agencies. Therefore the three agencies would like to take an integrated approach to coordinate investments in a way that would combine the goals of volume and load reductions, flood reductions, and park land management planning. To memorialize that approach, the three agencies have proposed to execute a memorandum of understanding (MOU) to develop shared priorities and investment strategies to improve the natural and built environments within the Minnehaha Creek subwatershed in Minneapolis.

The MOU outlines each party's broad interest in collaborating. Specific areas of interest include:

- Reducing flooding
- Achieving regional pollutant load reductions identified in TMDLs
- Reducing runoff volumes and peak flows to Minnehaha Creek
- Eliminating combined sewer overflows

To begin planning and implementing the FEMA repairs staff is seeking authorization to issue a request for qualification (RFQ) to assist with FEMA streambank repairs and the integrated planning of the Minnehaha Creek subwatershed. The District would be seeking a firm with experience in comprehensive planning, regional planning, water resources, mapping, and landscape architecture to work collaboratively with District staff, the City and MPRB to facilitate the development of an integrated plan for the Minnehaha Creek subwatershed in Minneapolis. Once a firm has been selected, the consultant and the three agencies would work together to develop a scope of services.

The District, City and MPRB have preliminary discussed how to coordinate the RFQ and scoping process. Through preliminary discussions with the District, the City and MPRB have expressed a willingness to share the cost of hiring a consultant, which would be memorialized in a future cooperative agreement which would identify how all three agencies would share in the cost and coordinate throughout the process. All three agencies would agree on the details of the RFQ prior to distribution and the District would consider City and MPRB input into the RFQ selection process. Once a consultant was selected District staff would work with the selected consultant to develop a proposal in coordination with City and MPRB, which would be brought back before the Board for final selection and seek Board authorization to execute a contract.

**ATTACHMENTS:**

- Memorandum of Understanding to Support the Integrated Planning of the Minnehaha Creek Subwatershed within Minneapolis
- Map of flood damage sites along Minnehaha Creek in Minneapolis

## RESOLUTION

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**RESOLUTION NUMBER:** 17-017

**TITLE:** **Authorization to enter into a Memorandum of Understanding with the City of Minneapolis and Minneapolis Park and Recreation Board and Issue a Request for Qualifications for the Integrated Planning of the Minnehaha Creek Subwatershed in Minneapolis**

WHEREAS the Minnehaha Creek corridor has sustained damage to its water quality, channel stability, habitat and public use opportunities as the result of decades of urban development, urban stormwater discharges and adjacent urban uses; and

WHEREAS, the Minnehaha Creek Watershed District has identified Minnehaha Creek and Lake Hiawatha as being a priority area for capital improvements focused on stormwater management and increased recreational access; and

WHEREAS, for several years the MCWD has been working with the City of Minneapolis (“City”) and Minneapolis Park and Recreation Board (“MPRB”) to enhance the social, economic and environmental vitality along the Minnehaha Creek corridor and further the goals and purposes of the parties; and

WHEREAS, the MCWD Board of Managers adopted the policy “A Balanced Urban Ecology”, memorializing a desire to bridge the historic governance gap between land use and water planning and capital investment; recognizing the long term community value created by strategic investment in infrastructure, public works, parks and the natural environment; and

WHEREAS, pursuant to *Balanced Urban Ecology* the District’s overarching organizational strategy to accomplishing its mission is to:

- Develop high impact capital projects integrated with non-water initiatives through multi-jurisdictional partnerships
- Change the land-use and water policy environment to increase early value added partnership with private development, public infrastructure, and public policy/planning; and

WHEREAS, based on a history of partnership, the District, City and MPRB wish to reaffirm mutual recognition of the potential value added through formalizing agency coordination; and

WHEREAS, the attached Memorandum of Understanding outlines opportunities to collaborate and integrate mutual efforts in realms of land-use planning, stormwater management, flood mitigation, park and public land management, greenway development, and water resources improvements; and

WHEREAS, to facilitate the integrated planning activities outlined in the MOU, the District will need to retain a consultant to supplement staff in the fields of comprehensive planning, regional planning, water resources, mapping, and landscape architecture;

NOW, THEREFORE, BE IT RESOLVED that the District Administrator is authorized to execute the attached Memorandum of Understanding, with non-material changes and on advice of counsel, with the City of Minneapolis and Minneapolis Park and Recreation Board to support the integrated planning of the Minnehaha Creek subwatershed within Minneapolis; and

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Minnehaha Creek Watershed District Board of Managers authorizes staff to issue a request for qualifications for the integrated planning of the Minnehaha Creek subwatershed within the City of Minneapolis; and

NOW, THEREFORE, BE IT FINALLY RESOLVED that the Minnehaha Creek Watershed District Board of Managers authorizes staff to work with the selected consultant to develop a proposal which will be brought back before the Board for final selection and authorization to execute a contract.

Resolution Number 17-017 was moved by Manager \_\_\_\_\_, seconded by Manager \_\_\_\_\_.  
Motion to adopt the resolution \_\_\_ ayes, \_\_\_ nays, \_\_\_ abstentions. Date: \_\_\_\_\_.

\_\_\_\_\_  
Secretary Date: \_\_\_\_\_

**Memorandum of Understanding  
to support the  
Integrated Planning  
of  
the Minnehaha Creek Subwatershed within Minneapolis**

**DRAFT**

**February 18, 2017**

This Memorandum of Understanding (“MOU”) is entered into effective as of the date of the last signature on this document (“Effective Date”) by and between the City of Minneapolis (“City”); the City of Minneapolis acting by and through its Park and Recreation Board (“Park Board”), a body corporate and politic under the laws of the State of Minnesota; and the Minnehaha Creek Watershed District (“MCWD”), a watershed district duly established pursuant to Minnesota Statutes Chapter 103D.

**Recitals and statement of purpose**

- a. The parties share responsibility for improving environmental quality within the Minnehaha Creek Subwatershed of the City of Minneapolis, and recognize the benefit of working in close partnership at the intersection of the vision and mission of the respective organizations.
  - i. The Minneapolis Park and Recreation Board exists to provide places and recreation opportunities for all people, and is committed to protecting and improving its natural resources parkland and recreation opportunities for current and future generations.
  - ii. The Minnehaha Creek Watershed District has articulated a vision of a landscape of vibrant communities where the natural and built environments exist in balance to create value and enjoyment, and is committed to protecting and improving land and water through public and private partnerships.
  - iii. The City of Minneapolis has set a course to be a growing and vibrant world-class city with a flourishing economy and pristine environment, where all people are safe and healthy and have equitable opportunities for success and happiness.

- b. The parties share a history of successful collaboration having cooperated on projects such as the Minneapolis Chain of Lakes Regional Park Project, one of the largest urban water-quality restoration projects to date in the United States.
- c. The parties recognize that their mutual goals are best achieved through integrated land and water resource planning, and wish to memorialize their commitment to working together in pursuit of a balanced urban ecology that integrates goals and plans for the natural and built environments.
- d. To support the level of integration and alignment desired across respective plans, policies and investments, the parties wish to establish a framework to actively coordinate and align their respective work on an annual basis, at both a policy and technical level.

**1. Goals**

- a. The parties will work together to coordinate and align policies, plans and capital improvements to improve the natural and built environments within the Minnehaha Creek subwatershed in the City of Minneapolis.
- b. The parties will work together to identify multi-jurisdictional initiatives to achieve complex water resource goals such as:
  - i. Reducing flooding
  - ii. Achieving regional pollutant load reductions identified in TMDLs
  - iii. Reducing runoff volumes and peak flows to Minnehaha Creek,
  - iv. Eliminating combined sewer overflows
- c. Wherever possible, the parties will work to integrate natural resource goals across disciplines to intersect with planned recreation improvements, infrastructure improvements, development, etc., to reduce cost and maximize public benefit.
- d. The parties will achieve the desired integration through the use of a predictable and repeatable annual work plan, identifying opportunities to establish shared agency priorities that can be subsequently incorporated into budgets, capital improvement plans, policy development, master planning efforts, and other agency-specific plans and initiatives.
- e. The parties intend for these shared agency priorities to benefit from collaborative planning, cost sharing, and the development of investment strategies that will attract additional outside funding, through the coordinated pursuit of grant funds, legislation, and other partnerships.

## 2. Example Opportunities for Partnering under the MOU

- a. FEMA Repairs to Minnehaha Creek – The Minnehaha Creek Watershed District (MCWD) has been awarded monies from the Federal Emergency Management Association to repair sections of streambank on Minnehaha Creek, damaged during 2014 flooding. The MCWD has also been awarded monies from the Clean Water Legacy Fund to integrate the planning of FEMA damage repair with opportunities to address water quality issues associated with stormwater discharges into Minnehaha Creek. Together these efforts will improve the ecological integrity of the Minnehaha Creek corridor and reduce pollutant loading to Lake Hiawatha, an Impaired Water.

This work intersects with the clean water and recreation goals of the Minneapolis Park and Recreation Board, that has planned investments in trail improvements within areas of identified damage to Minnehaha Creek, is undertaking an ecosystems services plan for MPRB land, and has interest in developing a shared vision for the Minnehaha Creek corridor through the City of Minneapolis. This work also intersects with the clean water and infrastructure management goals of the City of Minneapolis, that has planned stormsewer improvements within the areas of identified damage to Minnehaha Creek.

The parties have a mutual interest in collaboratively planning this FEMA work to identify opportunities for the intersection of streambank improvements, stormwater management improvements, infrastructure improvements, recreation investments, ecosystems and corridor plans.

- b. Hiawatha Golf Course – The City of Minneapolis and the Minneapolis Park & Recreation Board are pursuing investigations of alternatives to the current level of stormwater and groundwater pumping. The investigations will consider methods of addressing TMDL levels at Lake Hiawatha, water and habitat quality at Lake Hiawatha and Minnehaha Creek, localized flooding and groundwater intrusion for nearby private properties and public streets, local stormwater infrastructure function and capacity, and enhanced or expanded public recreation opportunities.
- c. 50<sup>th</sup> and Chownen Priority Flood Mitigation – there is a need to integrate planning and implementation actions to address localized flooding in the Fulton neighborhood just north of Minnehaha Creek and south west of Lake Harriet. The City intends to lead the feasibility study, design, and construction of flood mitigation work in close coordination with MPRB recognizing programmed neighborhood park improvements and aligning with MCWD efforts to minimize pollutants and reduce peak flows to connected downstream waters..

### 3. Integrated Planning Process

- a. The parties commit to work together by designating staff representatives to a Planning Team who are well informed about all their respective agency goals, plans, and budgets.
- b. The Planning Team will collaborate at least quarterly to identify opportunities for shared agency priorities, and be responsible for jointly recommending to policy makers the alignment of policies, long range planning efforts, master plans, feasibility studies, capital improvement plans, and the operational and project budgets to support them.
- c. The City of Minneapolis and the Minneapolis Park and Recreation Board prepare budget requests for the Capital Long Range Improvement Committee in the first quarter of a calendar year to establish capital project and program priorities for five years.
- d. The MCWD begins budget forecasting in the first quarter of each calendar year and produces a draft 2-3 year capital improvement plan, which it distributes for review, in June of each calendar year.
- e. On or before March each year the Planning Team will produce a draft 2-5 year Partnership Plan and Investment Strategy. This Plan will identify opportunities for integrating planning, policy, and capital project initiatives across agencies. The Plan will include, but not necessarily be limited to:
  - i. A brief initiative/project description;
  - ii. Estimated upfront costs, capital costs and long-term operation and maintenance costs;
  - iii. Potential cost sharing opportunities across the agencies;
  - iv. Supporting outside funding and financing (grants, appropriations, bonding, etc); and
  - v. Timelines for implementation including quarterly milestones
- f. The parties agree that this Partnership Plan is intended as a planning guide for coordinated project planning and implementation, but does not formally obligate any party to implementation of any specific project; such commitments are to be addressed in specific project agreements, as discussed below;
- g. On or before June 30 each year, the Technical Planning Team will present a Partnership Plan for review and a resolution of support by each governing board or council by September 1 of that year, which will be used to inform the respective agencies' budget priorities.

- 4. Project Development and Implementation Process**
- a. Following review and support of the Plan by each agency, the Planning Team will jointly develop a project specific implementation plan to be memorialized into a project specific agreement. Project specific implementation plans will detail roles and responsibilities for further feasibility studies, design, bidding, construction management and oversight, and long-term operations and maintenance.
- 5. Term**
- This MOU shall be effective until December 31, 2022, and may be renewed thereafter by agreement of the parties for terms of five years, or other terms as the parties may decide.

**For the City of Minneapolis**

By: \_\_\_\_\_

**For the Minneapolis Park & Recreation Board**

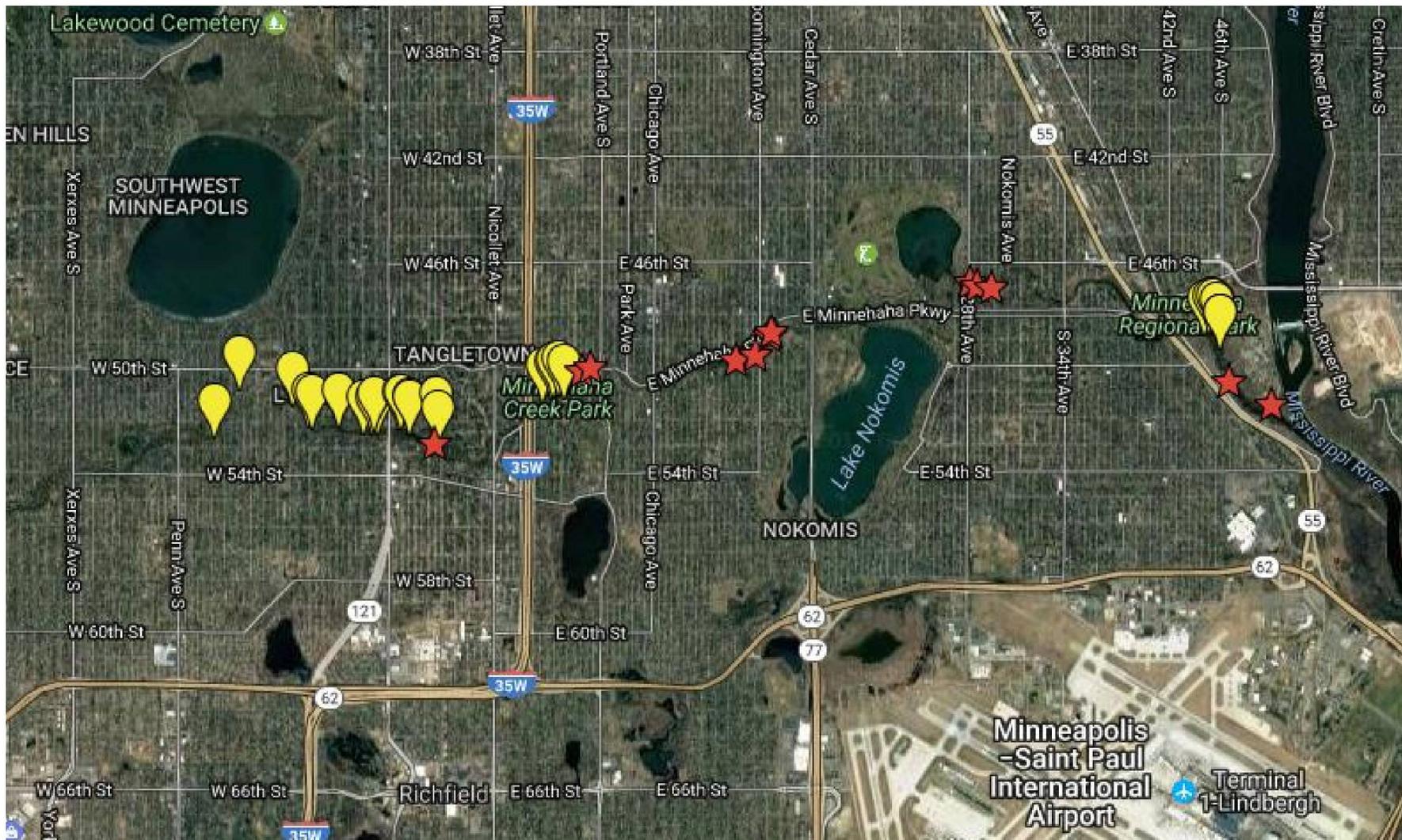
By: \_\_\_\_\_

**For the Minnehaha Creek Watershed District**

By: \_\_\_\_\_

Lars Erdahl, Administrator

### Map of flood damage sites along Minnehaha Creek in Minneapolis



Yellow Pins = FEMA funds received to repair flood damage

Red Stars = Flood damage NOT approved for FEMA funding