

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

February 13, 2025

CALL TO ORDER

The regular meeting of the Minnehaha Creek Watershed District Board of Managers was called to order by President Sherry White at 7:06 p.m. on February 13, 2025, at the MCWD offices, 15320 Minnetonka Boulevard, Minnetonka, Minnesota.

MANAGERS PRESENT

Sherry White, William Olson, Richard Miller, Jessica Loftus, Arun Hejmadi, and Steve Sando.

MANAGERS ABSENT

Eugene Maxwell.

DISTRICT STAFF AND CONSULTANTS PRESENT

James Wisker, Administrator; Rebecca Neal, Policy Planning Coordinator; James McDermond-Spies, Project Maintenance & Land Management Manager; Michael Hayman, Director of Project Planning; Chris Meehan, District Consulting Engineer; and Louis Smith, District Counsel.

APPROVAL OF AGENDA

President White noted that Item 13 Board Inquiries, Issues and Ideas, and Item 14 Staff Updates would be taken up prior to Item 12 Discussion Items. *It was moved by Manager Olson, seconded by Manager Sando, to approve the agenda with this change. Upon vote, the motion carried 6-0 (Manager Maxwell absent).*

MATTERS FROM THE FLOOR

None.

CONSENT AGENDA

It was moved by Manager Miller, seconded by Manager Hejmadi, to approve the items on the Consent Agenda consisting of approval of the January 23, 2025, Board meeting minutes.

Upon vote, the motion carried, 6-0.

BOARD, COMMITTEE AND TASK FORCE REPORTS

President's Report: President White noted that along with Manager Olson and Mr. Wisker, she recently attended a special dinner to recognize the service of Independence Mayor Marv Johnson. With Managers Maxwell and Hejmadi, she attended a staff briefing on 325 Blake Road in anticipation of an upcoming liaisons meeting with Hopkins and Alatus. She noted that the League of Women Voters attended a recent meeting of the Minnesota Watersheds Metro Chapter and arranged to visit MCWD. A special meeting of Minnesota Watersheds members is being planned for March 21 to consider bylaw changes concerning the resolutions process.

Operations and Planning Committee Report: Manager Loftus reported that the Committee met earlier in the evening and received an update on the feasibility assessment of Phase I Projects in the Minnehaha Parkway.

President White noted the upcoming meeting schedule presented in the agenda.

PUBLIC HEARINGS & PRESENTATIONS

Public Hearing to Consider Ordering the Morningside Stormwater Improvement Project

Ms. Rebecca Neal appeared before the Board of Managers to provide background for the public hearing. She reviewed the notices provided for the hearing. She noted that the Project includes stabilizing three eroding ravines and constructing a stormwater pond to reduce total phosphorous loads by 36 pounds per year to Lake Katrina, a wetland that drains to impaired Jennings Bay of Lake Minnetonka. The project is estimated to cost \$629,000. The Board of Water and Soil Resources (BWSR) has awarded \$243,200 in Watershed-Based Implementation Funding (WBIF), and the City has committed \$180,000 for the project. The City has requested \$200,000 in LWP funding to cover the remaining costs.

President White invited any comments from the public and no one appeared to offer comments. President White closed the public hearing.

PERMITS REQUIRING A VARIANCE OR DISCUSSION

None.

ACTION ITEMS

Resolution 25-013: Ordering the Morningside Stormwater Improvement Project, Authorizing Funding Agreement, and Amending 2025 Budget

Ms. Rebecca Neal reviewed the request for board action. In addition to ordering the proposed project, Resolution 25-013 also authorizes execution of a project funding agreement with the City of Medina and amends the 2025 budget to provide funding for the project.

It was moved by Manager Loftus, seconded by Manager Hejmadi to adopt Resolution 25-013: Ordering the Morningside Stormwater Improvement Project, Authorizing Funding Agreement, and Amending 2025 Budget, as follows:

NOW THEREFORE BE IT RESOLVED that pursuant to Minnesota Statutes §103B.251 and the WMP, the Minnehaha Creek Watershed District Board of Managers hereby orders the Morningside Stormwater Improvement Project; and

BE IT FURTHER RESOLVED that Minnehaha Creek Watershed District Board of Managers hereby authorizes the District Administrator to execute the Project Funding Agreement, with non-material changes and on advice of counsel; and

BE IT FINALLY RESOLVED that the Minnehaha Creek Watershed District Board of Managers hereby amends the 2025 budget as recommended by staff for a total 2025 budget of \$14,620,445.

Manager Miller asked if the 36 pounds of phosphorus reduction anticipated from the project would result in a 36-pound reduction of phosphorus to Jennings Bay. Ms. Neal noted that this is generally true, though there are several other intervening water bodies downstream from the project before Jennings Bay which could be factors. In response to a question from Manager Olson, Ms. Neal reviewed the location of the proposed weirs and step pools in the project design.

There being no further discussion, upon vote, the motion carried 6-0.

Resolution 25-014: Authorization to Release Request for Quote Packages for Vegetation Maintenance

Mr. James McDermond-Spies appeared before the Board of Managers to review the request for board action. He reviewed the recent history of vegetation maintenance contracting and the evaluation of the scope and geographic groupings of past contracts, determining the need for changes. Staff have amended the geographic groupings to allow for better efficiency in mobilization and work between sites. He requested that the board authorize release of the quote packages that reflect these changes. ***It was moved by Manager Miller, seconded by Manager Hejmadi to adopt Resolution 25-014: Authorization to Release Request for Quote Packages for Vegetation Maintenance as follows:***

NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek Watershed District Board of Managers authorizes the District Administrator, on advice of legal counsel, to release the Request for Quote packages for the Minneapolis Ponds and Arden Park Sites, Minnehaha Greenway and Headwaters sites, Northern Upper Watershed Sites, and Southern Upper Watershed sites.

In response to a question from Manager Hejmadi, Mr. McDermond-Spies reviewed plans for active oversight to track contractor performance. Manager Hejmadi also noted the importance of accounting for climate volatility in our vegetation maintenance program. Manager Miller expressed his view that contractors may need to be constantly observed on site, given recent experience with construction projects. In response to a question from Manager Olson, Mr. McDermond-Spies noted the importance of adaptive management to address emerging needs. Manager Sando pointed to the example of Arden Park and the cooperative approach to maintenance with the City of Edina. Manager Loftus expressed her appreciation for Mr. McDermond-Spies' deep understanding of this field and his good presentation. President White inquired about maintenance locations near the Jennings Bay Wetland Restoration project. ***There being no further discussion, upon vote the motion carried 6-0.***

Resolution 25-015: Authorization to Amend 325 Blake Road Redevelopment Advisory Services Agreement with Shenandoah Consulting Group, LLC

Mr. Michael Hayman appeared before the board of managers to review the request for board action. He noted that to effectively engage the development community and position the 325 Blake Road site to deliver the MCWD and City's vision and goals, MCWD contracted with Shenandoah Consulting Group, LLC (Shenandoah) in December 2020. Shenandoah is led by Chuck Lutz, the former deputy director of Community Planning and Economic Development (CPED) for the City of Minneapolis.

After approximately four years of working as MCWD's development advisor, the original Shenandoah contract has reached its approved funding cap. Mr. Hayman noted that Shenandoah bills at an hourly rate, rather than through a commission-based structure, thus maintaining a strong level of objectivity throughout the development effort and negotiations. Due to Mr. Lutz's key role in continued development discussions and ongoing negotiations, staff is recommending the MCWD Board of Managers amend the agreement with Shenandoah Consulting Group, LLC, for an additional \$25,000.

It was moved by Manager Miller, seconded by Manager Olson to adopt Resolution 25-015: Authorization to Amend 325 Blake Road Redevelopment Advisory Services Agreement with Shenandoah Consulting Group, LLC, as follows:

NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek Watershed District Board of Managers hereby authorizes the District Administrator, on advice of counsel, to amend the contract with Shenandoah Consulting, LLC for redevelopment advisory services in the amount of \$25,000, and authorizes the Administrator to execute change orders in his discretion up to an additional 10% of the proposal fee, for a not-to-exceed amount of \$27,500.

In response to a question from Manager Loftus, Mr. Hayman noted that these costs are not reimbursed by the developer. Manager Hejmadi expressed his appreciation for the excellent consultation provided by Mr. Lutz to date. ***There being no further discussion, upon vote, the motion carried 6-0.***

BOARD INQUIRIES, ISSUES, AND IDEAS

None.

STAFF UPDATES

Administrator's Report

Mr. Wisker reported on the following items:

1. In response to Manager Hejmadi's earlier inquiry about the MCWD's work in diversity, equity and inclusion, staff has been advancing the work plan approved by the Board; a more detailed update will come to the Projects and Programs Committee and Citizens Advisory Committee in April;
2. As noted by President White, the League of Women Voters had an excellent visit to MCWD's office and asked excellent questions. MCWD has been invited to speak to their annual meeting.
3. The staff planning and technical teams are working on preparing for a Steering Committee meeting for the Minnehaha Creek Parkway collaboration with the City of Minneapolis and the Minneapolis Park & Recreation Board.

BOARD DISCUSSION ITEMS

325 Blake Road Restoration and Redevelopment

Mr. Michael Hayman appeared before the Board of Managers to provide an update on redevelopment and the MCWD project at 325 Blake Road in Hopkins. He requested that the Board of Managers go into closed session. ***Pursuant to legal counsel's recommendation, it was moved by Manager Olson, seconded by Manager Hejmadi for***

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the Board to go into a closed session for the purpose of discussing the potential expiration or revision of terms of the Purchase and Sale Agreement of 325 Blake Road in Hopkins. Upon vote, the motion carried 6-0.

The Board of Managers went into closed session.

The Board of Managers returned to open session.

Administrator's Annual Performance Evaluation

It was moved by Manager Miller, seconded by Manager Sando for the Board to go into a closed session for the purpose of discussing the annual performance evaluation of James Wisker, MCWD Administrator. Upon vote, the motion carried 6-0.

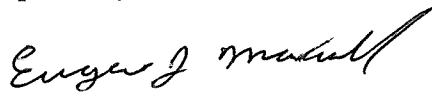
The Board of Managers went into closed session.

The Board of Managers returned to open session.

Adjournment

There being no further business, President White declared the meeting of the Board of Managers adjourned at 10:08 p.m.

Respectfully submitted,



Eugene Maxwell, Secretary