

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

**February 12, 2026**

**CALL TO ORDER**

The regular meeting of the Minnehaha Creek Watershed District Board of Managers was called to order by Vice President William Olson at 7:00 p.m. on February 12, 2026, at the MCWD offices, 15320 Minnetonka Boulevard, Minnetonka, Minnesota.

**ROLL CALL FOR ATTENDANCE**

Chair Olson called the roll to note attendance:

|                 |                                 |
|-----------------|---------------------------------|
| Richard Miller: | Present                         |
| Jessica Loftus: | Present                         |
| Stephen Sando:  | Present                         |
| Eugene Maxwell: | Present                         |
| Arun Hejmadi:   | Present                         |
| Sherry White:   | Present, participating remotely |
| William Olson:  | Present                         |

**DISTRICT STAFF AND CONSULTANTS PRESENT**

James Wisker, Administrator; Gabe Sherman, Planner - Project Manager; Nick Ayers, District Consulting Engineer; and Louis Smith, District Counsel.

**MATTERS FROM THE FLOOR**

None.

**APPROVAL OF AGENDA**

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

|                 |            |
|-----------------|------------|
| <i>Miller:</i>  | <i>Aye</i> |
| <i>Loftus:</i>  | <i>Aye</i> |
| <i>Hejmadi:</i> | <i>Aye</i> |
| <i>Maxwell:</i> | <i>Aye</i> |
| <i>Sando:</i>   | <i>Aye</i> |
| <i>White:</i>   | <i>Aye</i> |
| <i>Olson:</i>   | <i>Aye</i> |

**CONSENT AGENDA**

*It was moved by Manager Maxwell, seconded by Manager Hejmadi, to approve the items on the Consent Agenda consisting of approval of the January 22, 2026, Board meeting minutes, and the following resolutions:*

***Resolution 26-017: Approving Site License Agreement with Mound Fire Department***

***NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek Watershed District Board of Managers authorizes the MCWD Administrator, on advice of counsel, to execute the site license agreement with the Mound Fire Department to allow temporary MFD use of the property at 6300 Painter Road;***

***Resolution 26-018: Approval of Final Three-Party Agreement for Permit #25-106***

***NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek Watershed District Board of Managers approves the revised agreement among the Edina Public School District, the City of Edina, and Minnehaha Creek Watershed District for Permit #25-106 and authorizes the Board President to sign the agreement on advice of counsel; and***

***Resolution 26-019: Honoring the Leadership and Service of Emily Koski***

***NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek Watershed District Board of Managers hereby formally recognizes Emily Koski for her contributions of leadership, understanding, and grace to advance Balanced Urban Ecology in the Minnehaha Creek Watershed, and for her commitment to collaboration to restore and protect healthy natural systems that are integral to vibrant, resilient communities.***

***BE IT FURTHER RESOLVED that the Board of Managers expresses its deep gratitude for her service and extends its best wishes to Ms. Koski for great success, health, and happiness in all her future endeavors.***

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

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

**BOARD, COMMITTEE AND TASK FORCE REPORTS**

President’s Report: President White noted recent meetings with the St. Louis Park City Council to discuss the Cedar Trail connection project, and the presentation of the Minnesota Watersheds Project of the Year award to the Edina City Council. She also noted that the 2027 Plan Kickoff event was wonderful and well attended.

Chair Olson noted the schedule of upcoming meetings presented in the agenda.

**PUBLIC HEARINGS AND PRESENTATIONS**

None.

**PERMITS REQUIRING A VARIANCE OR DISCUSSION**

None.

**ACTION ITEMS**

Resolution 26-020: Award Contract to Construct the Gateway to the Greenway

Mr. Gabe Sherman appeared before the Board of Manager to review the request for board action. He provided a project overview, review of the bid process and results, and a timeline for next steps with construction. Manager Miller asked about the wide range in bids, with the highest bid being about double the lowest bid. Mr. Sherman noted that the lowest bid still exceeded the engineer’s opinion of probable cost, probably due to the pricing of materials such as steel and concrete. He also noted that contractors have a variety of perspectives about bidding for work in the winter, depending upon how busy they are. In response to a question from Manager Hejmadi, Mr. Sherman stated that all of the bids presented were from competent, responsive contractors. Pember, the low bidder recommended for the contract, is known to the District and its design consultants. Staff have reviewed the project details with Pember, reviewed the engineer’s opinion of probable cost, and discussed the project with Pember’s subcontractors. Mr. Sherman noted that staff recommend proceeding with the base bid using granite, as it is more durable and would be easier to replace.

*It was moved by Manager Miller, seconded by Manager Maxwell to adopt Resolution 26-020: Award Contract to Construct the Gateway to the Greenway as follows:*

***NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek Watershed District Board of Managers awards the contract for the construction of the Gateway to the Greenway Project to Pember Companies, Inc., in the form of the Base Bid, for the contract price of \$1,168,819.70;***

***BE IT FURTHER RESOLVED that the MCWD Administrator is authorized, on advice of counsel, to enter into a contract with Pember Companies, Inc. for construction services for the stated contract price, and further is authorized to execute change orders in his discretion up to an additional 10 percent, in aggregate, of the contract price; and***

***BE IT FINALLY RESOLVED that the Administrator is authorized to issue a formal notice to proceed to Pember Companies, Inc., on advice of counsel and after receipt of a signed contract and required bonds and insurance documentation.***

In response to a question from Manager Miller, Mr. Sherman reviewed the landscaping lighting plan. In response to questions from Managers Maxwell and Hejmadi, Mr. Sherman reviewed accessibility of the site and construction staging plans and site fencing. Manager Miller suggested inviting former staff involved with site acquisition to a groundbreaking event. Manager Loftus noted that for the rest of 325 Blake Road, the site design for the Nature Play area should be reconsidered in light of changes at the site, including the loss of oak trees. Mr. Sherman confirmed that the design would be reviewed and updated. Manager Miller noted that the high quality of design for this project should continue to be a model for future projects.

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

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

Resolution 26-021: Awarding Contract for District Engineering Services

Mr. James Wisker appeared before the Board of Managers to review the request for board action. He reviewed the request for proposals process, including the interviews of three engineering firms. He reviewed the selection teams recommendation that HDR be selected as the MCWD Engineer. He noted that HDR's proposal stands out for its strong alignment with MCWD's culture and values, as well as its emphasis on collaboration, transparency, and high professional standards. The proposal and interview demonstrated a clear understanding of MCWD's mission and operating context, and an ability to balance technical rigor with creativity, relationship-building, and responsiveness.

***It was moved by Manager Miller, seconded by Manager Hejmadi to adopt Resolution 26-021: Awarding Contract for District Engineering Services as follows:***

***NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek Watershed District Board of Managers authorizes the MCWD Administrator, on advice of legal counsel, to execute a contract with HDR for engineering services ending December 31, 2027, in accordance with the developed scope of work as the Administrator may refine it, and in an amount not to exceed the amount set forth in the proposal.***

Manager Miller stated the importance of the engineer's independent judgment and candor with the Board of Managers. Mr. Wisker stated that this value has been communicated and framed well and will continue to be communicated through the onboarding process. President White stated that as a member of the selection team, she concurred with the recommendation. She said that she saw HDR's involvement with the permitting program as an opportunity and felt that HDR showed a strong proposal and interview. In response to questions from Manager Olson and Hejmadi, Mr. Wisker stated that staff from the permitting program have been intimately involved in this selection process, and that Ms. Sannes is supportive of the recommendation.

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

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

**Resolution 26-022: Consenting to Ballard Spahr representation for 325 Blake Road**

Mr. Wisker noted that MCWD legal counsel recommends that the Board of Managers consent to Ballard Spahr representation for the 325 Blake Road transaction and thereby waive potential conflict with Ballard Spahr's representation of NHP Foundation in a Colorado project. Mr. Smith noted the application Rules of Professional Conduct, and that Mr. Sellke has stated that he is not involved in the NHP Foundation representation for the Colorado project, and no personnel from that team will participate in the 325 Blake Road matter. He noted that Mr. Sellke has stated that he reasonably believes that he will be able to provide competent and diligent representation to MCWD, while other attorneys in his firm separately represent NHP for an affordable housing project in Denver. Mr. Smith stated that he concurs with this conclusion and further stated that

such representation is not prohibited by law and does not involve asserting claims by one client against another client by the same lawyer.

***It was moved by Manager Miller, seconded by Manager Sando, to adopt Resolution 26-022: Consenting to Ballard Spahr representation for 325 Blake Road as follows:***

***NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek Watershed District Board of Managers hereby consents to Mr. Sellke and Ballard Spahr's representation of MCWD in the potential transaction with NHP, notwithstanding Ballard Spahr's representation of NHP in Colorado, with the separation from the Colorado team that Mr. Sellke has affirmed.***

Mr. Wisker noted that President White had alerted that she would step away from the meeting briefly and return. ***There being no further discussion, upon roll call vote, the motion carried 6-0 as follows:***

***Miller: Aye  
Loftus: Aye  
Hejmadi: Aye  
Maxwell: Aye  
Sando: Aye  
White: Absent for vote  
Olson: Aye***

Resolution 26-023: Authorization to Distribute Minor Plan Amendment

Mr. Wisker reviewed the request for board action. He noted that the Minneapolis Park and Recreation Board (MPRB) has been working with MCWD and the City of Minneapolis through the Thriving Waters Partnership to align support and coordinated investments. The MPRB has named water quality in Cedar Lake as a priority concern, and the parties have intended to coordinate planning to support the MPRB's application for a Clean Water Legacy grant to implement an alum treatment for Cedar Lake. The Minnesota Board of Water and Soil Resources recently moved up the deadline to apply for these grants, which require support in a watershed plan as part of funding eligibility. He stated that the proposed Minor Plan Amendment adds internal nutrient load management as a potential implementation plan within the Minnehaha Creek Subwatershed's Stormwater Volume and Pollutant Load Reduction capital improvement program (CIP) entry.

***It was moved by Manager Hejmadi, seconded by Manager Sando, to adopt Resolution 26-023: Authorization to Distribute Minor Plan Amendment as follows:***

***NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek Watershed District Board of Managers authorizes MCWD staff to distribute the proposed***

*amendment to the 2017 Watershed Management Plan to applicable review authorities and partner agencies for review and comment, and to schedule a public meeting on the proposed amendment for the March 12, 2026 Board meeting, in accordance with Minnesota Rules 8410.*

In response to a question from Manager Hejmadi, Mr. Wisker noted that plan amendments are infrequent, but occasionally necessary to update planning for capital improvement projects. *There being no further discussion, upon roll call vote, the motion carried 7-0 as follows:*

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

#### **BOARD DISCUSSION ITEMS**

None.

#### **BOARD INQUIRIES, ISSUES, AND IDEAS**

None.

#### **STAFF UPDATES**

##### Facility Management Update

Ms. Lauren Stretar appeared before the Board of Managers to review the 2025 work of McGough Facility Management for the District office. She reviewed the scope of services performed and noted that staff were pleased with the work performed in 2025. She noted that staff intend to tighten project management and service hours in collaboration with McGough and present a two-year service agreement for consideration at the February 26 board meeting. The managers thanked Ms. Stretar for her presentation.

##### Administrator's Report

Mr. Wisker reported on the following items:

1. The Minnesota Watersheds Legislative Event will be on March 3;

2. Ms. Stretar is moving from a temporary to a permanent position on MCWD staff;
3. MCWD has received a \$75,000 grant from BWSR for flood risk assessment to support the 2027 plan;
4. James McDermond-Spies reported that the Twin Lakes pond dredging work was completed on time and on budget, removing approximately 3,500 cubic yards of sediment;
5. The Hennepin County Commissioners appointed Janet Schaefer and Ricardo Bonner to fill the seats currently held by Managers Miller and Loftus. We are all deeply grateful for the service to MCWD from Managers Miller and Loftus and will be planning an occasion to celebrate their contributions.

The managers thanked Mr. Wisker for this report.

### **CLOSED SESSION**

#### Performance Evaluation of Administrator

*It was moved by Manager Hejmadi, seconded by Manager Loftus that the Board move into closed session for the purpose of discussing the performance evaluation of Mr. Wisker as Administrator. Upon roll call vote, the motion carried 7-0 as follows:*

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

The Board of Managers went into closed session.

The Board of Managers returned to open session.

### **Adjournment**

There being no further business, Vice President Olson declared the meeting of the Board of Managers adjourned at 10:18 p.m.

Minutes of the Regular Meeting  
Minnehaha Creek Watershed District  
Board of Managers  
2/12/26

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Eugene Maxwell".

Eugene Maxwell, Secretary

