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

August 13, 2026

CALL TO ORDER

The regular meeting of the Minnehaha Creek Watershed District Board of Managers was called to order by President Sherry White at 7:00 p.m. on August 13, 2026, at the MCWD offices, 15320 Minnetonka Boulevard, Minnetonka, Minnesota.

MANAGERS PRESENT

Sherry White, William Olson, Eugene Maxwell, Stephen Sando, Ricardo Bonner, and Julie Schaefer.

MANAGER ABSENT

Arun Hejmadi.

DISTRICT STAFF AND CONSULTANTS PRESENT

Becky Christopher, Acting Administrator; Gabe Sherman, Senior Planner - Project Manager; and Louis Smith, District Counsel.

MATTERS FROM THE FLOOR

None.

APPROVAL OF AGENDA

It was moved by Manager Maxwell, seconded by Manager Bonner, to approve the agenda as distributed. Upon vote, the motion carried, 6-0.

CONSENT AGENDA

It was moved by Manager Sando, seconded by Manager Maxwell, to approve the items on the Consent Agenda consisting of approval of the July 23, 2026, Board meeting minutes, and the following resolutions:

Resolution 26-063: Authorization to Issue a Request for Proposals for Audit Services

> ***NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek Watershed District Board of Managers hereby authorizes the District Administrator to issue a request for proposals for financial audit services;***

Resolution 26-064: Approving Joint Powers Agreement for Permitting of MnDOT Trunk Highway 62

> ***NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek Watershed District Board of Managers authorizes the MCWD Board President to execute the proposed Joint Powers Agreement, with any further nonsubstantive changes and on advice of counsel; and***

Resolution 26-065: Selection and Authorization to Enter into Contract for Legal Services

> ***NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek Watershed District Board of Managers hereby authorizes the District Administrator to execute a legal services agreement with Smith Partners for the period of September 1, 2026, through August 31, 2028.***

Upon vote, the motion carried, 6-0.

BOARD, COMMITTEE AND TASK FORCE REPORTS

President's Report: President White noted the recent Board retreat on governance culture and expressed her appreciation for everyone's participation. She reported that along with Manager Schaefer and Mr. Wisker, she attended meetings with Orono and Long Lake representatives concerning the Long Lake Creek Roadmap. Manager Schaefer added that these meetings went well and resulted in a greater shared understanding of history and project recommendations. She said that there was a positive sense that we should move forward with the staff recommendations on projects.

President White noted that along with Manager Maxwell she attended the tour to celebrate the collaboration with the Veterans groups for the restoration and conservation of Big Island. Manager Olson noted that this gathering celebrated the 20th anniversary of the Veterans sale of its property on Big Island to facilitate the conservation and use the proceeds to support veterans' services.

President White noted the schedule of upcoming meetings presented in the agenda.

PUBLIC HEARINGS AND PRESENTATIONS

Cedar Avenue Stormwater and Restoration Project Public Hearing

Mr. Gabe Sherman appeared before the Board of Managers to present the background on the project and the request for board action for Resolution 26-066 Ordering the Cedar Avenue Stormwater and Restoration Project, Authorizing the Execution of the Project Agreement for Preliminary Design, and Authorizing the Release of the Request for Proposals for Design and Engineering Services. He traced the history of MCWD's collaboration with the City of Minneapolis and the Minneapolis Park & Recreation Board, including the more recent formation of the Thriving Waters Partnership. He reviewed the feasibility analysis which determined the Cedar/Bloomington Focus Area (Cedar Avenue Stormwater and Restoration Project) to be the highest priority project based on constructability, stormwater treatment potential, and current use of the project area. He reviewed the Cedar Avenue Stormwater and Restoration Project Agreement for Preliminary Design, and the Cedar Avenue Stormwater and Restoration Project Request for Proposals.

President White invited public comments. Ms. Carol Kuechler appeared before the Board of Managers and expressed concern that she had not seen local community engagement about the project and felt the notice provided insufficient detail.

In response to Ms. Kuechler's comments, Mr. Sherman noted that the project is just at the feasibility stage, no design work has been done yet, and there will be specific community engagement once the design is underway. He noted that the concepts considered at the feasibility stage were based on the MPRB's Minnehaha Creek Parkway planning process, which had extensive community engagement.

MPRB Commissioners Cathy Abene, Kay Carvajal Moran, and Kedar Deshpande appeared to express their support for this work and to express gratitude for the collaboration reflected in the Thriving Waters Partnership.

President White thanked Commissioners Abene, Carvajal Moran and Deshpande for their comments. There being no further comments, President White closed the public hearing.

PERMITS REQUIRING A VARIANCE OR DISCUSSION

None.

ACTION ITEMS

Resolution 26-066: Ordering the Cedar Avenue Stormwater and Restoration Project, Authorizing the Execution of the Project Agreement for Preliminary Design, and Authorizing the Release of the Request for Proposals for Design and Engineering Services

Mr. Sherman reviewed the various elements of the request for board action reflected in the resolution. He explained that the parties envision the project agreement could serve as a template for future projects. He noted that a supplemental project agreement is anticipated after the 30% design is completed.

It was moved by Manager Maxwell, seconded by Manager Schaefer, to adopt Resolution 26-066: Ordering the Cedar Avenue Stormwater and Restoration Project, Authorizing the Execution of the Project Agreement for Preliminary Design, and Authorizing the Release of the Request for Proposals for Design and Engineering Services 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 orders the Cedar Avenue Stormwater and Restoration Project;***
>
> ***BE IT FURTHER RESOLVED that the Minnehaha Creek Watershed District Board of Managers authorizes the District Administrator to Execute the Cedar Avenue Stormwater and Restoration Project Agreement for Preliminary Design;***
>
> ***BE IT FINALLY RESOLVED that the MCWD Board of Managers authorizes the District Administrator, on advice of counsel, to release a request for proposals for engineering and design services.***

Manager Olson said that he appreciated the staff presentation and felt that the board had many of the same questions as Ms. Kuechner, and that he looked forward to these questions being answered in the design process. In response to a question from Manager Maxwell, Mr. Sherman noted the technical review process for the design, stated that the design must work for all three parties, and affirmed that the Met Council would continue to be involved in this process given the sewer interceptor. In response to a question from Manager Bonner, Mr. Sherman noted that representatives from all parties would be involved in the consultant review process, with MCWD making the final decision. Manager Olson asked about the web site showing the stages of design development, and Mr. Sherman noted that the Thriving Waters Partnership web site will be launched with the community engagement process and will be updated at each stage of the design process. In response to a question from Manager Schaefer, Mr. Sherman reviewed the sewer separation issue and considerations for pollutant removal in the design process. President White noted that the Partnership would be following the MPRB's community engagement protocol.

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

<u>Resolution 26-067: Adoption of the 2027 Capital Improvement Plan</u>

Mr. Sherman appeared before the Board of Managers to review the request for board action. He explained that this is an annual update of the MCWD's ten-year Capital Improvement Plan, which this year coincides with the process underway for the new

2027 Plan. He noted that comments had been received by the City of Medina, Minneapolis Park & Recreation Board, and the Stubbs Bay Lake Improvement District, all support of the plan and identifying partnership opportunities. The City of Medina expressed support for MCWD's ongoing efforts in the Long Lake subwatershed and has committed funding through its CIP to partner with MCWD on proposed initiatives within Medina. The Minneapolis Park and Recreation Board supports the Minneapolis Thriving Waters Partnership (MTWP) and requests that MCWD maintain flexibility within its CIP to allow for the funding of projects that emerge from MCWD's WMP process, MTWP's management unit planning, and MPRB's water sampling program, as well as address legacy projects that have reached their useful life. The Stubbs Bay Lake Improvement District (SBLID) requested that MCWD consider including nutrient reduction projects in its CIP to address water quality in Stubbs Bay. Staff have explained to SBLID that the 2013 TMDL for Stubbs Bay attributed 60% of the Bay's phosphorus loading to external sources and 24% to internal sources, indicating that external load management is needed before internal load management would be effective. No significant external load management has occurred since that time. The current CIP includes a project for Stormwater Volume and Pollutant Load Reduction for the Lake Minnetonka Subwatershed that would allow the District to support project planning and implementation for Stubbs Bay through its Land & Water Partnership program, and the MCWD is engaging all of its communities in the process of developing a new 10-year Plan.

It was moved by Manager Olson, seconded by Manager Sando to adopt Resolution 26-067: Adoption of the 2027 Capital Improvement Plan as follows:

> ***NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek Watershed District Board of Managers hereby adopts the attached 2027 CIP.***

In response to questions from Manager Olson, Mr. Michael Hayman noted the timing and experience in the region with long-term alum dosing and whole lake drawdowns.

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

BOARD DISCUSSION ITEMS

Minnesota Watersheds Resolutions Meeting and Delegate Appointment

Ms. Becky Christopher appeared before the Board of Managers and reviewed the summary and analysis by staff and legal counsel of the proposed resolutions to be considered at the upcoming Minnesota Watersheds Resolutions Meeting.
The managers thanked Ms. Christopher for this summary and analysis.

Following discussion, it was moved by Manager Maxwell, seconded by Manager Bonner, to select President White and Manager Olson as delegates, and Manager Maxwell as an alternate to the Resolutions Meeting. Upon vote, the motion carried, 6-0.

BOARD INQUIRIES, ISSUES, AND IDEAS

None.

STAFF UPDATES

Administrator's Report

Ms. Christopher reported on the following items:

1. Precipitation year to date is still five inches below normal. Lake Minnetonka is at elevation 928.72, the Grays Bay control structure is discharging at 8 cubic feet per second, and Minnehaha Creek is currently flowing at 12 cfs at Hiawatha.

2. Staff is interviewing two finalists for the outreach position.

The managers thanked Ms. Christopher for this report.

Adjournment

There being no further business, President White declared the meeting of the Board of Managers adjourned at 8:29 p.m.

Respectfully submitted,

Arun Hejmadi, Secretary