

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

4
5 **February 12, 2026**

6
7 **CALL TO ORDER**

8
9 The regular meeting of the Minnehaha Creek Watershed District Board of Managers was called
10 to order by Vice President William Olson at 7:00 p.m. on January 8, 2026, at the MCWD offices,
11 15320 Minnetonka Boulevard, Minnetonka, Minnesota.

12
13 **ROLL CALL FOR ATTENDANCE**

14
15 Chair Olson called the roll to note attendance:

16
17 Richard Miller: Present
18 Jessica Loftus: Present
19 Stephen Sando: Present
20 Eugene Maxwell: Present
21 Arun Hejmadi: Present
22 Sherry White: Present, participating remotely
23 William Olson: Present

24
25 **DISTRICT STAFF AND CONSULTANTS PRESENT**

26
27 James Wisker, Administrator; Gabe Sherman, Planner - Project Manager; Nick Ayers,
28 District Consulting Engineer; and Louis Smith, District Counsel.

29
30 **MATTERS FROM THE FLOOR**

31
32 None.

33
34 **APPROVAL OF AGENDA**

35
36 *It was moved by Manager Miller, seconded by Manager Maxwell, to approve the*
37 *agenda as distributed. Upon roll call vote, the motion carried, 7-0 as follows:*

38
39 *Miller: Aye*
40 *Loftus: Aye*
41 *Hejmadi: Aye*
42 *Maxwell: Aye*
43 *Sando: Aye*
44 *White: Aye*
45 *Olson: Aye*

46

47 **CONSENT AGENDA**

48

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

52

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

54

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

59

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

61

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

67

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

69

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

76

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

80

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

82

83 ***Miller: Aye***

84 ***Loftus: Aye***

85 ***Hejmadi: Aye***

86 ***Maxwell: Aye***

87 ***Sando: Aye***

88 ***White: Aye***

89 ***Olson: Aye***

90 **BOARD, COMMITTEE AND TASK FORCE REPORTS**

91
92 President's Report: President White noted recent meetings with the St. Louis Park City Council
93 to discuss the Cedar Trail connection project, and the presentation of the Minnesota Watersheds
94 Project of the Year award to the Edina City Council. She also noted that the 2027 Plan Kickoff
95 event was wonderful and well attended.

96
97 Chair Olson noted the schedule of upcoming meetings presented in the agenda.

98
99 **PUBLIC HEARINGS AND PRESENTATIONS**

100
101 None.

102
103 **PERMITS REQUIRING A VARIANCE OR DISCUSSION**

104
105 None.

106
107 **ACTION ITEMS**

108
109 Resolution 26-020: Award Contract to Construct the Gateway to the Greenway

110
111 Mr. Gabe Sherman appeared before the Board of Manager to review the request for board action.
112 He provided a project overview, review of the bid process and results, and a timeline for next
113 steps with construction. Manager Miller asked about the wide range in bids, with the highest bid
114 being about double the lowest bid. Mr. Sherman noted that the lowest bid still exceeded the
115 engineer's opinion of probable cost, probably due to the pricing of materials such as steel and
116 concrete. He also noted that contractors have a variety of perspectives about bidding for work in
117 the winter, depending upon how busy they are. In response to a question from Manager
118 Hejmadi, Mr. Sherman stated that all of the bids presented were from competent, responsive
119 contractors. Pember, the low bidder recommended for the contract, is known to the District and
120 its design consultants. Staff have reviewed the project details with Pember, reviewed the
121 engineer's opinion of probable cost, and discussed the project with Pember's subcontractors.
122 Mr. Sherman noted that staff recommend proceeding with the base bid using granite, as it is
123 more durable and would be easier to replace.

124
125 *It was moved by Manager Miller, seconded by Manager Maxwell to adopt Resolution 26-020:*
126 *Award Contract to Construct the Gateway to the Greenway as follows:*

127
128 ***NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek Watershed***
129 ***District Board of Managers awards the contract for the construction of the Gateway to***
130 ***the Greenway Project to Pember Companies, Inc., in the form of the Base Bid, for the***
131 ***contract price of \$1,168,819.70;***
132

133 ***BE IT FURTHER RESOLVED that the MCWD Administrator is authorized, on advice***
134 ***of counsel, to enter into a contract with Pember Companies, Inc. for construction***
135 ***services for the stated contract price, and further is authorized to execute change***
136 ***orders in his discretion up to an additional 10 percent, in aggregate, of the contract***
137 ***price; and***
138

139 ***BE IT FINALLY RESOLVED that the Administrator is authorized to issue a formal***
140 ***notice to proceed to Pember Companies, Inc., on advice of counsel and after receipt of***
141 ***a signed contract and required bonds and insurance documentation.***
142

143 In response to a question from Manager Miller, Mr. Sherman reviewed the landscaping
144 lighting plan. In response to questions from Managers Maxwell and Hejmadi, Mr.
145 Sherman reviewed accessibility of the site and construction staging plans and site
146 fencing. Manager Miller suggested inviting former staff involved with site acquisition to
147 a groundbreaking event. Manager Loftus noted that for the rest of 325 Blake Road, the
148 site design for the Nature Play area should be reconsidered in light of changes at the site,
149 including the loss of oak trees. Mr. Sherman confirmed that the design would be
150 reviewed and updated. Manager Miller noted that the high quality of design for this
151 project should continue to be a model for future projects.
152

153 ***There being no further discussion, upon roll call vote, the motion carried 7-0 as***
154 ***follows:***
155

156 ***Miller: Aye***
157 ***Loftus: Aye***
158 ***Hejmadi: Aye***
159 ***Maxwell: Aye***
160 ***Sando: Aye***
161 ***White: Aye***
162 ***Olson: Aye***
163

164 Resolution 26-021: Awarding Contract for District Engineering Services
165

166 Mr. James Wisker appeared before the Board of Managers to review the request for board
167 action. He reviewed the request for proposals process, including the interviews of three
168 engineering firms. He reviewed the selection teams recommendation that HDR be
169 selected as the MCWD Engineer. He noted that HDR's proposal stands out for its strong
170 alignment with MCWD's culture and values, as well as its emphasis on collaboration,
171 transparency, and high professional standards. The proposal and interview demonstrated
172 a clear understanding of MCWD's mission and operating context, and an ability to
173 balance technical rigor with creativity, relationship-building, and responsiveness.
174

175 ***It was moved by Manager Miller, seconded by Manager Hejmadi to adopt Resolution***
176 ***26-021: Awarding Contract for District Engineering Services as follows:***

177
178 ***NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek***
179 ***Watershed District Board of Managers authorizes the MCWD Administrator,***
180 ***on advice of legal counsel, to execute a contract with HDR for engineering***
181 ***services ending December 31, 2027, in accordance with the developed scope of***
182 ***work as the Administrator may refine it, and in an amount not to exceed the***
183 ***amount set forth in the proposal.***
184

185 Manager Miller stated the importance of the engineer’s independent judgment and candor
186 with the Board of Managers. Mr. Wisker stated that this value has been communicated
187 and framed well and will continue to be communicated through the onboarding process.
188 President White stated that as a member of the selection team, she concurred with the
189 recommendation. She said that she saw HDR’s involvement with the permitting program
190 as an opportunity and felt that HDR showed a strong proposal and interview. In response
191 to questions from Manager Olson and Hejmadi, Mr. Wisker stated that staff from the
192 permitting program have been intimately involved in this selection process, and that Ms.
193 Sannes is supportive of the recommendation.
194

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

197
198 ***Miller: Aye***
199 ***Loftus: Aye***
200 ***Hejmadi: Aye***
201 ***Maxwell: Aye***
202 ***Sando: Aye***
203 ***White: Aye***
204 ***Olson: Aye***
205

206 **Resolution 26-022: Consenting to Ballard Spahr representation for 325 Blake Road**
207

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

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

219
220 ***It was moved by Manager Miller, seconded by Manager Sando, to adopt Resolution 26-022:***
221 ***Consenting to Ballard Spahr representation for 325 Blake Road as follows:***

222
223 ***NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek Watershed***
224 ***District Board of Managers hereby consents to Mr. Sellke and Ballard Spahr’s***
225 ***representation of MCWD in the potential transaction with NHP, notwithstanding***
226 ***Ballard Spahr’s representation of NHP in Colorado, with the separation from the***
227 ***Colorado team that Mr. Sellke has affirmed.***

228
229 Mr. Wisker noted that President White had alerted that she would step away from the
230 meeting briefly and return. ***There being no further discussion, upon roll call vote, the***
231 ***motion carried 6-0 as follows:***

232
233 ***Miller: Aye***
234 ***Loftus: Aye***
235 ***Hejmadi: Aye***
236 ***Maxwell: Aye***
237 ***Sando: Aye***
238 ***White: Absent for vote***
239 ***Olson: Aye***

240
241 **Resolution 26-023: Authorization to Distribute Minor Plan Amendment**

242
243 Mr. Wisker reviewed the request for board action. He noted that the Minneapolis Park and
244 Recreation Board (MPRB) has been working with MCWD and the City of Minneapolis through
245 the Thriving Waters Partnership to align support and coordinated investments. The MPRB has
246 named water quality in Cedar Lake as a priority concern, and the parties have intended to
247 coordinate planning to support the MPRB’s application for a Clean Water Legacy grant to
248 implement an alum treatment for Cedar Lake. The Minnesota Board of Water and Soil
249 Resources recently moved up the deadline to apply for these grants, which require support in a
250 watershed plan as part of funding eligibility. He stated that the proposed Minor Plan
251 Amendment adds internal nutrient load management as a potential implementation plan within
252 the Minnehaha Creek Subwatershed’s Stormwater Volume and Pollutant Load Reduction capital
253 improvement program (CIP) entry.

254
255 ***It was moved by Manager Hejmadi, seconded by Manager Sando, to adopt Resolution 26-023:***
256 ***Authorization to Distribute Minor Plan Amendment as follows:***

257
258 ***NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek Watershed***
259 ***District Board of Managers authorizes MCWD staff to distribute the proposed***

260 *amendment to the 2017 Watershed Management Plan to applicable review authorities*
261 *and partner agencies for review and comment, and to schedule a public meeting on the*
262 *proposed amendment for the March 12, 2026 Board meeting, in accordance with*
263 *Minnesota Rules 8410.*
264

265 In response to a question from Manager Hejmadi, Mr. Wisker noted that plan
266 amendments are infrequent, but occasionally necessary to update planning for capital
267 improvement projects. *There being no further discussion, upon roll call vote, the*
268 *motion carried 7-0 as follows:*
269

270 *Miller: Aye*
271 *Loftus: Aye*
272 *Hejmadi: Aye*
273 *Maxwell: Aye*
274 *Sando: Aye*
275 *White: Aye*
276 *Olson: Aye*
277

278
279 **BOARD DISCUSSION ITEMS**

280
281 None.

282
283 **BOARD INQUIRIES, ISSUES, AND IDEAS**

284
285 None.

286
287 **STAFF UPDATES**

288
289 Facility Management Update

290
291 Ms. Lauren Stretar appeared before the Board of Managers to review the 2025 work of
292 McGough Facility Management for the District office. She reviewed the scope of services
293 performed and noted that staff were pleased with the work performed in 2025. She noted that
294 staff intend to tighten project management and service hours in collaboration with McGough and
295 present a two-year service agreement for consideration at the February 26 board meeting. The
296 managers thanked Ms. Stretar for her presentation.

297
298 Administrator's Report

299
300 Mr. Wisker reported on the following items:

- 301
302 1. The Minnesota Watersheds Legislative Event will be on March 3;

- 303
304 2. Ms. Stretar is moving from a temporary to a permanent position on MCWD staff;
305
306 3. MCWD has received a \$75,000 grant from BWSR for flood risk assessment to support
307 the 2027 plan;
308
309 4. James McDermond-Spies reported that the Twin Lakes pond dredging work was
310 completed on time and on budget, removing approximately 3,500 cubic yards of
311 sediment;
312
313 5. The Hennepin County Commissioners appointed Janet Schaefer and Ricardo Bonner to
314 fill the seats currently held by Managers Miller and Loftus. We are all deeply grateful for
315 the service to MCWD from Managers Miller and Loftus and will be planning an occasion
316 to celebrate their contributions.

317
318 The managers thanked Mr. Wisker for this report.

319
320 **CLOSED SESSION**

321
322 **Performance Evaluation of Administrator**

323
324 *It was moved by Manager Hejmadi, seconded by Manager Loftus that the Board move*
325 *into closed session for the purpose of discussing the performance evaluation of Mr.*
326 *Wisker as Administrator. Upon roll call vote, the motion carried 7-0 as follows:*

327
328 *Miller: Aye*
329 *Loftus: Aye*
330 *Hejmadi: Aye*
331 *Maxwell: Aye*
332 *Sando: Aye*
333 *White: Aye*
334 *Olson: Aye*

335
336
337 The Board of Managers went into closed session.

338
339 The Board of Managers returned to open session.

340
341
342 **Adjournment**

343
344 There being no further business, Vice President Olson declared the meeting of the Board of
345 Managers adjourned at 10:18 p.m.

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

346
347 Respectfully submitted,
348
349
350
351 Eugene Maxwell, Secretary

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