



47 **CONSENT AGENDA**

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49 *It was moved by Manager Maxwell, seconded by Manager Olson, to approve the*  
50 *Consent Agenda consisting of approval of the May 14, 2026 Board meeting minutes,*  
51 *approval of the General Check Register, including check numbers 42753 through*  
52 *42759 in the amount of \$73,092.56, electronic funds withdrawals of \$327,086.01,*  
53 *managers per diems and reimbursements of \$3,572.92, employee reimbursements of*  
54 *\$132.99, and payroll electronic funds withdrawals and disbursements of \$192,888.67,*  
55 *for a total of \$596,773.15; the Surety Check Register with check numbers 2273-2275*  
56 *and payment of \$30.00 in fees to Old National Bank for a total of \$21,124.00; wire*  
57 *transfers of \$57,250.00 to Hennepin County for 2020B interest and \$39,018.75 for*  
58 *2013B interest for a total of \$96,268.75; and the following resolution:*

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60 *Resolution 26-051: Authorization to Amend Funding Agreement for the Morningside*  
61 *Stormwater Improvement Project*

62  
63 *NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek*  
64 *Watershed District Board of Managers authorizes the District Administrator to*  
65 *amend the funding agreement with the City of Medina, with non-material*  
66 *changes on advice of counsel, to allow reimbursement of 40 percent of the total*  
67 *construction cost not to exceed \$200,000.*

68  
69 *Upon roll vote, the motion carried, 6-0 as follows:*

70  
71 *Hejmadi: Aye*  
72 *Olson: Aye*  
73 *Bonner: Aye*  
74 *Maxwell: Aye*  
75 *Sando: Aye*  
76 *White: Aye*

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

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81 President's Report: President White reported that she had attended an orientation session with  
82 Manager Bonner and Manager-designate Schaefer and also attended the Metro Watersheds  
83 meeting which will be reported by Manager Sando.

84  
85 Policy and Planning Committee Report: Manager Maxwell reported that the committee met  
86 earlier in the evening and received an update on multiple planning and project opportunities  
87 within the Six Mile Creek–Halsted Bay subwatershed.

88

89 Metro Chapter of Minnesota Watersheds: Manager Sando reported that he attended this meeting  
90 with President White and Managers Olson and Maxwell. The meeting included state agency  
91 reports and an extended discussion of a proposal by the state Plumbing Board to prohibit the re-  
92 use of stormwater. Manager Olson provided more background on this proposal and Manager  
93 Maxwell noted that more education and outreach on stormwater reuse is needed.

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

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97 **PUBLIC HEARINGS AND PRESENTATIONS**

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99 None.

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101 **PERMITS REQUIRING A VARIANCE OR DISCUSSION**

102  
103 None.

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105 **ACTION ITEMS**

106  
107 Resolution 26-052: Approval of Minnehaha Preserve Boardwalk Repair Plans and Authorization  
108 to Solicit Bids

109  
110 Mr. Michael Hayman appeared before the Board of Managers to review the request for board  
111 action. He noted that his presentation would focus on the plans to repair the boardwalk and not  
112 on the current litigation with the former contractor, JTS Construction. Mr. Hayman reviewed the  
113 project background, including the 2023 construction, discovery of construction defects, and  
114 unsuccessful efforts to address eleven categories of defective work. In consultation with the  
115 project engineer, staff has determined that while the boardwalk is currently safe for public use,  
116 this condition will not be sustained, and it is critical to proceed to address the construction  
117 defects in an orderly fashion. He reviewed the Best Value procurement process and the  
118 solicitation of technical proposals and cost proposals, along with the anticipated schedule.

119  
120 *It was moved by Manager Olson, seconded by Manager Bonner, to adopt Resolution 26-052:*  
121 *Approval of Minnehaha Preserve Boardwalk Repair Plans and Authorization to Solicit Bids*  
122 *as follows:*

123  
124 ***NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek Watershed***  
125 ***District Board of Managers approves the final repair plans for the Minnehaha***  
126 ***Preserve Boardwalk Rehabilitation and authorizes the District Administrator, on***  
127 ***advice of counsel, to solicit bids.***

128  
129 In response to a question from Manager Olson, Mr. Hayman explained the technical  
130 proposal and cost proposal parts of the Best Value procurement process, whereby the  
131 Board will select a contractor based not only on bid price, but also on a qualitative

132 assessment of the contractor’s qualifications, experience, and proposed approach to the  
133 work. Manager Sando asked whether JTS has agreed to pay for these repairs, and Mr.  
134 Hayman stated it has not. In response to questions from Manager Hejmadi, Mr. Hayman  
135 explained that the MCWD does not have a precise estimate of costs to repair the  
136 boardwalk but rather is operating with a wide range of potential costs. The procurement  
137 process should provide more insight through learning from qualified contractors. In  
138 response to questions from Manager Maxwell, Mr. Hayman stated that the MCWD is  
139 closely coordinating with the City of St. Louis Park in this process, and closure of the  
140 boardwalk this winter will depend on the selected contractor’s precise work schedule.  
141 Manager Olson asked if the staff has a full count of the number of items needing repair,  
142 and Mr. Hayman stated that about sixty percent (60%) of the defects are visible, but the  
143 rest will require disassembly of the boardwalk to identify. In response to a question from  
144 President White, Mr. Hayman reviewed the construction access route for this work.  
145

146 *Upon roll vote, the motion carried, 6-0 as follows:*

147  
148 *Hejmadi: Aye*  
149 *Olson: Aye*  
150 *Bonner: Aye*  
151 *Maxwell: Aye*  
152 *Sando: Aye*  
153 *White: Aye*  
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155 **BOARD DISCUSSION ITEMS**

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157 Report on Influential Communications Course

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159 Ms. Samantha Hoppe appeared before the Board of Managers and shared learnings from  
160 an Influential Communications course at the University of St. Thomas’s Opus College of  
161 Business. This short program focused on helping participants communicate clearly,  
162 confidently, and persuasively across many channels, particularly in real-time workplace  
163 settings. The managers thanked Ms. Hoppe for this presentation.  
164

165 Campus Improvement Options Discussion

166  
167 Mr. Wisker appeared before the Board of Managers to present background information  
168 and options for advancing improvements to the MCWD parking lots at its office campus.  
169 He reviewed the history of exploring reconstruction of the parking lots, the problems with  
170 failed pavement, drainage, and winter slip and fall hazards. Mr. Wisker described the  
171 challenging cross easement with the neighboring property owner, Campbell-Sevey, and  
172 the repeated and unsuccessful efforts to seek their consent to the MCWD’s desired  
173 parking lot and driveway improvements. He noted that given the easement’s requirement  
174 for neighbor consent to work on the shared driveway, Campbell-Sevey’s position renders

175 the full reconstruction project impossible to advance without initiating an eminent  
176 domain action to narrow the common right of way easement on the District's property.

177  
178 Mr. Wisker outlined two options and said that he was seeking the Board's guidance on  
179 how to proceed. The first option is full reconstruction of the parking lots and driveway,  
180 which requires Campbell-Sevey consent or District initiation of eminent domain to  
181 correct and narrow the easement. The second option is pavement reclamation of the  
182 parking lots, avoidance of the driveway, and does not require Campbell-Sevey consent.

183  
184 Each of the managers stated that they preferred the first option in order to achieve a long-  
185 term solution. The managers directed Mr. Wisker to bring a detailed proposed plan to  
186 pursue the first option.

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189 **BOARD INQUIRIES, ISSUES, AND IDEAS**

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None.

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194 **STAFF UPDATES**

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Administrator's Report

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Mr. Wisker reported on the following items:

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- 201 1. Lake Minnetonka level is 929.12 and Minnehaha Creek is flowing at Hiawatha at 23  
202 cubic feet per second;
- 203 2. Staff is working on planning a board retreat later this summer to focus on governance,  
204 culture and communications issues;
- 205 3. Minneapolis has clarified that Council Member Schaffer, not Council Member Whiting,  
206 should be the City's representative on the MCWD's Policy Advisory Committee for the  
207 2027 Plan.

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209

*It was moved by Manager Maxwell, seconded by Manager Sando to affirm that Council  
Member Schaffer is the City of Minneapolis representative on the MCWD's Policy Advisory  
Committee for the 2027 Plan. Upon roll vote, the motion carried, 6-0 as follows:*

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*Hejmadi: Aye*

212  
213

*Olson: Aye*

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*Bonner: Aye*

216  
217

*Maxwell: Aye*

*Sando: Aye*

*White: Aye*

Minutes of the Regular Meeting  
Minnehaha Creek Watershed District  
Board of Managers  
5/28//26

218

219 **Adjournment**

220

221 There being no further business, President White declared the meeting of the Board of Managers  
222 adjourned at 8:55 p.m.

223

224 Respectfully submitted,

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226

227

228 Eugene Maxwell, Secretary

DRAFT