

Minnehaha Creek Watershed District

REQUEST FOR BOARD ACTION

MEETING DATE: June 9, 2016

TITLE: Authorization to Contract with Smith Partners for Comprehensive Plan Support

RESOLUTION NUMBER: 16-056

PREPARED BY: Becky Christopher

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REVIEWED BY: Administrator Counsel Program Mgr. (Name): _____
 Board Committee Engineer Other

WORKSHOP ACTION:

<input type="checkbox"/> Advance to Board mtg. Consent Agenda.	<input type="checkbox"/> Advance to Board meeting for discussion prior to action.
<input type="checkbox"/> Refer to a future workshop (date): _____	<input type="checkbox"/> Refer to taskforce or committee (date): _____
<input type="checkbox"/> Return to staff for additional work.	<input type="checkbox"/> No further action requested.
<input checked="" type="checkbox"/> Other (specify): <u>Requesting approval at June 9 Workshop</u>	

PURPOSE or ACTION REQUESTED:

Authorization to execute a contract with Smith Partners, PLLP for an amount not to exceed \$38,740 for support in the development and drafting of the 2017 Comprehensive Plan

PROJECT/PROGRAM LOCATION: N/A

PROJECT TIMELINE: June 2016-January 2017

PROJECT/PROGRAM COST:

Fund name and number:	Planning and Projects, 2002
2015-2016 budget for Plan update:	\$180,000
Expenditures to date:	Himle Rapp contract- \$40,000 authorized, \$19,450 spent (planning to retain \$15,000)
	Wenck contract - \$68,840 authorized, \$6,833 spent
	Other - \$39,408 spent (Planning Assistant salary, self assessment, strategic planning, meeting expenses, mailings)
Remaining budget for 2016:	\$46,752
Requested amount of funding:	\$38,740

PAST BOARD ACTION:

July 31, 2014, RBA 14-059, Adoption of a framework for the 2017 Comprehensive Plan update

SUMMARY:

In July 2014, the Board approved a framework for updating its Comprehensive Water Resources Management Plan (Plan). Under this framework, the primary focus for the Plan update is on improving the District's implementation model following the direction established in the Board's *Balanced Urban Ecology Policy* which aims to integrate the District's work with the built environment using the guiding principles of partnership, focus, and flexibility.

The District's Plan will be comprised of three volumes. The first volume will act as an executive summary of the Plan, outlining the motivations behind the District's new mission and a high-level framework of how the District will achieve that mission. The second volume will contain a synthesis of all pertinent data to be used in identifying specific issues that the District will address to achieve its mission. The third volume will define measurable goals for implementation and expound upon the District's implementation framework. This framework will outline, in each subwatershed, how the District will execute the two-track approach and pair project and program opportunities with optimal management strategies.

Development of the 2017 Plan consists of the three primary areas of work: (1) the internal strategic planning and program evaluation process, (2) working with the advisory committees to develop an implementation framework that supports the District's new approach, and (3) updating the technical data and resource inventory. Work is proceeding as scheduled in all three areas, and staff is now shifting its focus toward the drafting of the Plan.

Staff is requesting authorization to retain the services of Smith Partners to assist in the drafting and editing of the Plan and has worked with Smith Partners to develop the attached scope of services.

Staff has divided the work of drafting and editing the various sections of the Plan amongst a team of District staff, Wenck Associates, and Smith Partners. A contract with Wenck was approved by the Board in March 2016 under which they will be drafting the data volume of the Plan and water resources sections of each subwatershed plan. Smith Partners' role in Plan drafting would be more policy focused and include areas such as local water plan requirements, structure of the capital improvement plan, and procedural requirements. Other sections will be drafted by a team of District staff with review and editing by Smith Partners. In addition to drafting and review, the Smith Partners scope includes time for upfront policy analysis and discussion with staff and the Planning and Policy Committee.

The cost for the proposed scope of work is \$38,740, which is within budget. Smith Partners is uniquely qualified for this role based on its history of work with the District, including its involvement in the development of the 2007 Plan, the Balanced Urban Ecology Policy, and its deep knowledge of the District's programs and policies. Staff recommends executing a contract with Smith Partners for this scope of work for an amount not to exceed \$38,740.

RESOLUTION

RESOLUTION NUMBER: 16-056

TITLE: **Authorization to Contract with Smith Partners for Comprehensive Plan Support**

WHEREAS, the District is in the process of updating its Comprehensive Water Resources Management Plan (Plan); and

WHEREAS, on July 31, 2014, the Board approved a framework for updating the Plan that identified the primary focus of improving the District's implementation model following the direction established in the Board policy, *In Pursuit of a Balanced Urban Ecology in the Minnehaha Creek Watershed*; and

WHEREAS, staff has developed a scope of work to obtain assistance from Smith Partners, PLLP with policy analysis and plan drafting and editing; and

WHEREAS, Smith Partners, PLLP is uniquely qualified for this role based on its history of work with the District, including its involvement in the development of the 2007 Plan, the Balanced Urban Ecology Policy, and its deep knowledge of the District's programs and policies;

NOW, THEREFORE, BE IT RESOLVED that the MCWD Board of Managers hereby authorizes the District Administrator to execute a contract with Smith Partners, PLLP for assistance with the Comprehensive Plan update for an amount not to exceed \$38,740.

Resolution Number 16-056 was moved by Manager _____, seconded by Manager _____.
Motion to adopt the resolution ___ ayes, ___ nays, ___ abstentions. Date: _____.

Secretary Date: _____



Scope of Services
For
Minnehaha Creek Watershed District
Comprehensive Plan Update

June 3, 2016

Overview of Scope Tasks and Assumptions

1. **Policy Development/Legal Requirements:** Structure of Capital Improvement Program; Local Water Management Plan requirements; Scope includes 4 work sessions with Staff.
2. **Plan Drafting:** Smith Partners responsible for drafting the following Plan sections: Summary, Implementation Plan: Procedures, Local Water Management Plan requirements, and Plan Amendments; for all sections, District Staff will provide an outline and reference materials to work from (presentations, meeting materials, minutes, etc.);
3. **Plan Review and Edit:** Smith Partners responsible for review and edit of the following Plan sections: Introduction; Implementation Plan (Mission, vision, values, goals; Organizational framework and program descriptions; Goals, priorities, and metrics; Two-track approach; Implementation tables; Evaluation and reporting process); Subwatershed Plans (Land use frame – local goals, priorities, plans; Implementation framework – opportunities, priorities, funding); and Appendices (Public process/input; Self assessment). Two iterations of review and comment for each section.
4. **Policy and Planning Committee:** Smith Partners will attend 4 PPC meetings, to be included in this scope of services.
5. **Fees Not to Exceed Total:** Without District authorization. Hours and fees may be allocated among tasks without specific authorization.

<u>Task</u>	<u>Description</u>	<u>Est. Hours</u>	<u>Fees</u> (\$205 hourly rate)
1	<u>Policy Analysis</u>		
	A. Urban ecology cluster	18	
	<ul style="list-style-type: none"> • How programs/projects will evolve out of urban ecology approach & how they will be treated from a plan amendment/ procedural standpoint • How projects will evolve out of the regulatory program & how staff will manage the process • Proposed partnership/project development concepts as may concern District powers/purposes • District roles and funding in multi-(public/private) purpose projects (incl. public purpose standard) • Private use of District projects for compliance purposes • Allocation of TMDL credits from District projects • District/LGU role in private stormwater facility maintenance 		
	B. Procedures cluster	16	
	<ul style="list-style-type: none"> • Plan amendments and ordering procedures for capital projects • Cost-share categories and procedures • Use of water management districts • Voluntary capital project or other project/program procedures 		
	C. Land rights acquisition cluster	6	
	<ul style="list-style-type: none"> • Policies for land rights acquisitions; when land rights will be acquired and by what criteria • Classification of land rights acquisitions (program, capital project, project-related depending on circumstances) • Procedures for land rights acquisitions 		
	D. Regulatory program cluster	8	
	<ul style="list-style-type: none"> • District consideration of MIDS, MS4, LGU rules, buffer law, &c in relation to exercising rulemaking authority 		

E. Local requirements and local plans cluster	22	
<ul style="list-style-type: none"> • “Mandates” to LGUs: e.g., regulatory, land use, MS4, wellhead protection • Policy/preference as to LGUs assuming sole regulatory authority • Elements, standards and procedures for LGU to assume sole regulatory authority: e.g., application coordination, inspection, rules standards, compliance monitoring, enforcement, auditing • Allocation of WCA LGU role and criteria for District approval • Incentives to LGUs and to what end? (to procure LGU actions, to produce voluntary local plan amendment) 		
F. Other Policy Issues	8	
<ul style="list-style-type: none"> • Goals/purposes scope (powers and purposes) • Implementation table/CIP arrangement • Funding/financing options • One Watershed One Plan and coordination with other WMOs • Policy toward maintenance of partnered projects • Public ditches 		
G. Work Sessions with Staff	24	
 Total Task 1:	 102	 \$20,910

<u>Task</u>	<u>Description</u>	<u>Est. Hours</u>	<u>Fees</u>
2	<u>Drafting</u>		
	A. Executive Summary	10	
	B. Implementation Plan – Procedures	12	
	C. Local Water Mgmt Plan Requirements	12	
	D. Plan Amendments	8	
	Total Task 2:	42	\$8,610
3	<u>Review and Edit</u>		
	A. Introduction	6	
	B. Implementation Plan		
	• Mission, vision, values, goals	4	
	• Organizational framework	4	
	• Goals, priorities, metrics	4	
	• Two-track approach	4	
	• Implementation tables	2	
	• Evaluation and reporting	4	
	C. Subwatershed Plans		
	• Land use frame	6	
	• Implementation framework	6	
	D. Appendices		
		4	
	Total Task 3:	44	\$9,020
	Expenses (copies, mileage)		\$200
	TOTAL	188	\$38,740