

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

4
5 **August 22, 2019**

6
7 **CALL TO ORDER**

8
9 The regular meeting of the Minnehaha Creek Watershed District was called to order by President
10 Sherry White at 7:00 p.m. on August 22, 2019, at the MCWD office, 15320 Minnetonka
11 Boulevard, Minnetonka, Minnesota.

12
13 **MANAGERS PRESENT**

14
15 Sherry White, William Olson, Richard Miller, Kurt Rogness, Jessica Loftus, and Eugene
16 Maxwell.

17 **MANAGERS ABSENT**

18
19 Arun Hejmadi.

20
21 **DISTRICT STAFF AND CONSULTANTS PRESENT**

22
23 James Wisker, Administrator; Becky Christopher, Policy Planning Manager; Anna Brown,
24 Planner Project Manager; Cathy Reynolds, Operations Manager; Chris Meehan, Consulting
25 Engineer; Louis Smith, Counsel.

26
27 **MATTERS FROM THE FLOOR**

28
29 None.

30
31 **STAFF ANNOUNCEMENT**

32
33 Ms. Telly Mamayek appeared before the Board of Managers to share the news that she will be
34 departing from her position as Communications and Education Manager after 8-1/2 years and
35 going to work for the Minneapolis Association of Realtors. The managers expressed their
36 gratitude for Ms. Mamayek's service and commitment to the District. Mr. Wisker expressed his
37 deep appreciation for Ms. Mamayek's many contributions to the District and he noted the
38 numerous awards received for her work.

39
40 **APPROVAL OF AGENDA**

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42 *It was moved by Manager Miller and seconded by Manager Maxwell to approve the agenda as*
43 *distributed. Upon vote, the motion carried 6-0.*
44

45 **CONSENT AGENDA**

46

47 *President White pulled the July 25 minutes from the Consent Agenda, noting that they had*
48 *been approved at the August 8 meeting. It was moved by Manager Miller, seconded by*
49 *Manager Rogness to approve the Consent Agenda consisting of the following items: approval*
50 *of the August 8 Board Minutes; approval of the Check Register consisting of checks 39879*
51 *through 39930 totaling \$851,512.99; payroll direct deposits totaling \$144,408.13; electronic*
52 *fund withdrawals- general checking totaling \$31,320.17; for total expenses of \$1,027,241.29;*
53 *and approval of Resolution 19-072: Authorization to Apply for BWSR Clean Water Funds*
54 *Competitive Grant Funding for Wassermann Lake Internal Load Management Project:*

55

56

57

*NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek Watershed
District Board of Managers authorizes staff to apply for 2020 BWSR CWF Competitive
Grant Funding for the Wassermann Lake Internal Load Management Project.*

58

59

60

Upon vote, the motion carried, 6-0.

BOARD, COMMITTEE AND TASK FORCE REPORTS

61

62 President's Report: President White noted that she attended with Mr. Wisker a meeting of
63 administrators on August 9 to discuss strategy in responding to concerns about the costs and
64 benefits of watershed regulation. She also attended a recent meeting of the Legislative
65 Coordinating Commission's Subcommittee on Water Policy which included a presentation on
66 the Mississippi River stakeholder process.

67

68 Policy and Planning Committee Report: Manager Miller reported that the meeting included a
69 briefing on the District's upcoming stakeholder engagement process to implement the
70 partnership model; an update on the Taft Legion project and plans to address project
71 performance concerns with the City of Richfield.

72

73 Citizens Advisory Committee: Mr. Wisker reported that Manager Hejmadi attended the CAC
74 meeting in August. The meeting included review of the 2020 annual budget and work plan. The
75 CAC was deeply engaged and expressed strong support for the 2020 priorities.

76

77 **PUBLIC HEARINGS AND PRESENTATIONS**

78

79 Public Hearing on the 2020 Budget and Levy

80

81 Mr. Wisker reviewed the process to develop the 2020 budget based on the District's strategic
82 goals and work plan priorities. He noted that no written comments had been received on the
83 proposed 2020 budget and levy. President White invited public comments on the budget and
84 levy and there being no commenters in attendance, President White closed the public hearing.

85

86 Manager Miller complemented Mr. Wisker on the strong policy foundation for the proposed
87 budget, and expressed his gratitude to Manager Loftus for her detailed review of the budget
88 drafts. Manager Loftus thanked the staff for the hard work and clearly presented work plans to
89 build the budget.

90

91 Wassermann Lake Park Public Hearing

92

93 Ms. Anna Brown appeared before the Board of Managers and explained that the purpose of the
94 public hearing was to receive comments pursuant to Minnesota Statutes Section 103B.251 to
95 consider whether to formally order and establish the Wassermann Lake Park Project and
96 authorize a consultant contract for design and construction oversight services for the project.

97

98 President White opened the public hearing, and Ms. Brown presented detailed background on the
99 project. Manager Miller asked who currently held title to the land for the project. Ms. Brown
100 explained that the District currently holds title, and once a construction contract for the park is
101 awarded, title will pass to the city and the District will hold a conservation easement and there
102 will be an operation and maintenance plan.

103

104 Ms. Brown noted that no written comments had been received, and there were no public
105 comments at the hearing. President White closed the public hearing.

106

107 **ACTION ITEMS**

108

109 Resolution 19-073: Ordering of the Wassermann Lake Park Project and Authorization to Execute
110 a Design and Construction Oversight Contract

111

112 Ms. Brown reviewed the proposed design and construction oversight contract. *It was moved by*
113 *Manager Olson, seconded by Manager Loftus, to adopt Resolution 19-073:*

114

115 *NOW, THEREFORE, BE IT RESOLVED that pursuant to Minnesota Statutes § 103B.251*
116 *and the Watershed Management Plan, the Minnehaha Creek Watershed District Board of*
117 *Managers orders the Project;*

118

119 *BE IT FURTHER RESOLVED that the MCWD Board of Managers authorizes the District*
120 *Administrator, on advice of counsel, to execute a contract with Aune Fernandez Landscape*
121 *Architects, for design and construction oversight services in the amount of \$304,266;*

122

123 *BE IT FINALLY RESOLVED that the MCWD Board of Managers establishes a*
124 *Wassermann Lake Park design and construction budget in the not-to-exceed amount of*
125 *\$335,000.00 and authorizes the Administrator, in his judgment, to authorize change orders*
126 *obligating the District up to that amount.*

127

128 *Upon vote, the motion carried, 6-0.*

129

130

131

132 Resolution 19-074: Adoption of the Revised MCWD Capital Improvement Plan

133

134 Ms. Becky Christopher appeared before the Board of Managers to review the annually updated
135 Capital Improvement Plan. She noted that written comments had been received from several
136 cities, but they did not request changes to the CIP.

137

138 *It was moved by Manager Rogness, seconded by Manager Miller, to adopt Resolution 19-074:*

139

140 *NOW, THEREFORE, BE IT RESOLVED that the MCWD Board of Managers hereby adopts*
141 *the attached CIP.*

142

143 *Upon vote, the motion carried, 6-0.*

144

145 Resolution 19-075: Authorization for the Purchase and Installation of a Replacement Server

146

147 Ms. Cathy Reynolds appeared before the Board of Managers and reviewed the request for board
148 action. *It was moved by Manager Olson, seconded by Manager Maxwell, to adopt Resolution 19-075:*
149

150 ***NOW, THEREFORE, BE IT RESOLVED, the Minnehaha Creek Watershed District, Board of***
151 ***Managers hereby amends the budget to allow for \$92,000 to be utilized for the purchase and***
152 ***installation of a new server from the operational reserves.***

153
154 ***BE IT FURTHER RESOLVED, that the Minnehaha Creek Watershed District, Board of Managers***
155 ***hereby authorizes staff to contract with Corporate Technologies for the purchase and installation of a***
156 ***new server for an amount not to exceed \$92,000.***

157
158 *Upon vote, the motion carried, 6-0.*

159
160 Administrator's Report

161
162 Mr. Wisker reported on the following items:

- 163
- 164 1. Water levels: Mr. Wisker reported that the District received 5" of rain in two recent
165 events, and the watershed has now exceeded 2014 precipitation levels. Gray's Bay is at
166 929.4 and discharging at 150 cfs; Lake Hiawatha is discharging at 230 cfs; and Lake
167 Nokomis is at 816.4 and recently opened the weir. Also, Lake Harriet is at an all-time
168 high elevation and Mooney Lake is 2 feet above the OHW.
169
 - 170 2. Four different lake beaches (Cooks Bay, Nokomis, Bde Maka Ska, Hiawatha) in the
171 watershed have been closed recently due to E.coli; beach closures; President White,
172 Manager Olson, and Mr. Wisker met recently with Carver County officials to discuss
173 e.coli concerns at Pearson Lake;
174
 - 175 3. Mr. Wisker participated in a meeting of Metro MAWD administrators on August 9
176 concerning the cost/benefit of watershed regulation. There will be ongoing work to plan
177 communications and further engagement with cities and developers.
178

179 Adjournment

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181 There being no further business, the meeting of the board of managers adjourned at 8:10 p.m.
182

183 Respectfully submitted,

184

185

186 Kurt Rogness, Secretary