

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

4  
5                                   **December 3, 2020**

6  
7                                   **CALL TO ORDER**

8  
9                                   The regular meeting of the Minnehaha Creek Watershed District was called to order by  
10                                   President Sherry White at 7:00 p.m. on December 3, 2020. President White noted that  
11                                   this meeting was convened electronically through WebEx, pursuant to Minnesota Statutes  
12                                   13D.021, due to the COVID-19 pandemic and her determination that it is not prudent for  
13                                   the Board of Managers, or any committee thereof, to meet in person, and it is not feasible  
14                                   to provide for any member of the Board, or of the public, to meet at the regular meeting  
15                                   location. For this reason, until this determination is withdrawn by the District’s presiding  
16                                   officer, chief legal counsel or chief administrative officer, the meetings of the Board and  
17                                   its committees will be convened by telephone or other electronic means as the presiding  
18                                   officer determines appropriate. All such meetings will be noticed and conducted in  
19                                   accordance with §13D.021 and all other applicable terms of the Open Meeting Law.  
20                                   President White noted that, pursuant to §13D.021, all votes will be by roll call.

21  
22                                   President White called the roll to note attendance:

23  
24                                   Hejmadi:       Present  
25                                   Loftus:         Present  
26                                   Rogness:       Present  
27                                   Miller:         Present  
28                                   Olson:         Present  
29                                   Maxwell:       Present  
30                                   White:         Present

31  
32                                   **DISTRICT STAFF AND CONSULTANTS PRESENT**

33  
34                                   James Wisker, Administrator; Gabe Sherman, Planner – Project Manager; Michael  
35                                   Hayman, Project Planning Manager; Alex Steele, GIS Technician; Deb Johnson,  
36                                   Assistant Operations Manager; Becky Christopher, Policy Planning Manager; Chris  
37                                   Meehan, Consulting Engineer; and Louis Smith, District Counsel.

38  
39                                   **MATTERS FROM THE FLOOR**

40  
41                                   None.

42  
43                                   **APPROVAL OF AGENDA**

44  
45                                   *It was moved by Manager Miller, seconded by Manager Hejmadi to approve the*  
46                                   *Agenda as distributed. Upon roll call vote, the motion carried 7-0 as follows:*

47  
48 Hejmadi: Aye  
49 Loftus: Aye  
50 Rogness: Aye  
51 Miller: Absent  
52 Olson: Aye  
53 Maxwell: Aye  
54 White: Aye

55  
56 **INFORMATION ITEMS/CORRESPONDENCE**

57  
58 **St. Louis Park Public School Stormwater Master Plan**

59  
60 President White acknowledged this informational memorandum in the agenda materials.  
61 Mr. Smith noted that legal counsel and staff are still discussing the question of how the  
62 common scheme of development provision in the stormwater rule applies to the four  
63 school district sites.

64  
65 **CONSENT AGENDA**

66  
67 *It was moved by Manager Miller, seconded by Manager Rogness, to approve the*  
68 *Consent Agenda consisting of approval of the November 19, 2020 Board minutes, and*  
69 *the following resolutions:*

70  
71 **Resolution 20-088: Adoption of Phase I Website Content Strategy**

72  
73 *NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek*  
74 *Watershed District Board of Managers adopts the Phase I website content*  
75 *strategy as the foundation for the eventual Phase II design and build.*

76  
77 **Resolution 20-090: Approval of the 2021 Board Committee and Board Meeting**  
78 **Schedule**

79  
80 *NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek*  
81 *Watershed District Board of Managers hereby approves the following 2021*  
82 *meeting schedule. Unless otherwise posted Committee Meetings will start at*  
83 *5:15 PM, and Board meetings will start at 7:00 PM. Executive Committee*  
84 *meetings are scheduled as needed and will be held prior to Board meetings.*  
85

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1/14/2021	Operations & Programs Committee Meeting Board Meeting	7/8/2021	Operations & Programs Committee Meeting Board Meeting
1/28/2021	Policy & Planning Committee Meeting Board Meeting	7/22/2021	Policy & Planning Committee Meeting Board Meeting
2/11/2021	Operations & Programs Committee Meeting Board Meeting	8/12/2021	Operations & Programs Committee Meeting Board Meeting
2/25/2021	Policy & Planning Committee Meeting Board Meeting	8/26/2021	Policy & Planning Committee Meeting Board Meeting
3/11/2021	Operations & Programs Committee Meeting Board Meeting	9/9/2021	Operations & Programs Committee Meeting Board Meeting
3/25/2021	Policy & Planning Committee Meeting Board Meeting	9/23/2021	Policy & Planning Committee Meeting Board Meeting
4/8/2021	Operations & Programs Committee Meeting Board Meeting	10/7/2021	Operations & Programs Committee Meeting Board Meeting
4/22/2021	Policy & Planning Committee Meeting Board Meeting	10/21/2021	Policy & Planning Committee Meeting Board Meeting
5/13/2021	Operations & Programs Committee Meeting Board Meeting	11/4/2021	Operations & Programs Committee Meeting Board Meeting
5/27/2021	Policy & Planning Committee Meeting Board Meeting	11/18/2021	Policy & Planning Committee Meeting Board Meeting
6/10/2021	Operations & Programs Committee Meeting Board Meeting	12/2/2021	Operations & Programs Committee Meeting Board Meeting
6/24/2021	Policy & Planning Committee Meeting Board Meeting	12/16/2021	Policy & Planning Committee Meeting Board Meeting

86

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

88

89

90 Hejmadi: Aye

91 Loftus: Aye

92 Rogness: Aye  
93 Miller: Aye  
94 Olson: Aye  
95 Maxwell: Aye  
96 White: Aye

97

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

99

100 President's Report: President White noted the virtual annual conference of the Minnesota  
101 Association of Watershed Districts was underway and would conclude tomorrow.

102

103 Upcoming Meeting and Event Schedule: President White directed the managers to the  
104 meetings listed on the agenda; all of the meetings to be noticed and held via WebEx. She  
105 noted that Manager Hejmadi would be the Board liaison to the Citizens Advisory  
106 Committee meeting on December 9.

107

108 **ACTION ITEMS**

109

110 Resolution 20-091: Authorization to Contract for Design Services for the 325 Blake Road  
111 Regional Stormwater and Greenway Project

112

113 Mr. Gabe Sherman and Mr. Michael Hayman appeared before the Board of Managers to  
114 review the request for board action. Mr. Sherman explained that the District issued a  
115 request for proposals for design services for stormwater management and site restoration  
116 at 325 Blake Road and Cottageville Park in Hopkins. The RFP was issued to over 35  
117 design firms, and 22 firms attended a mandatory information meeting. Four firms were  
118 selected for first round interviews and two firms advanced to a second round of  
119 interviews. The District review team unanimously recommended the HDR firm for the  
120 project. Mr. Sherman also noted the recommendation that the scope of the work be  
121 reviewed after the 30% design, and also reviewed the recommendation to engage the  
122 development community in this process and align the work with the planning and design  
123 of the redevelopment of the 325 Blake Road site.

124

125 *It was moved by Manager Rogness, seconded by Manager Maxwell to adopt Resolution*  
126 *20-091 as follows:*

127

128 ***NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek***  
129 ***Watershed District Board of Managers authorizes the District Administrator, on***  
130 ***advice of Counsel, to enter into a contract with HDR, Inc. for design and***  
131 ***engineering services for the schematic design of 325 Blake Road Regional***  
132 ***Stormwater and Greenway project, in an amount not to exceed the***  
133 ***fee set forth in the submitted proposal, and authorizes the Administrator to***  
134 ***execute change orders in his discretion up to an additional 10% of the proposal***  
135 ***fee.***

136  
137 Mr. Sherman introduced Mr. Craig Churchward and Mr. Paul Dierking from HDR, who  
138 introduced themselves and expressed appreciation for the opportunity to work with the  
139 MCWD on this project. Upon a question from Manager Rogness, Mr Sherman affirmed  
140 that HDR and the staff have discussed a shared work process and approach to this  
141 undertaking. Upon a question from Manager Hejmadi, Mr. Churchward and Mr.  
142 Dierking acknowledged that their firm had been involved in the Atlanta Fourth Ward  
143 Project, which also reflects water as a community asset to create a lively destination for  
144 people to live, work and play. Manager Miller noted the more expansive idea of  
145 community for this site of regional significance. Upon a question from President White,  
146 Mr. Smith noted that the Data Practices Act classifies all data in proposals, except for the  
147 names of those submitting proposals, as not-public data until the District signs an  
148 agreement with the selected firm. Upon a question from Manager Maxwell, Mr. Hayman  
149 noted that this project scope does not touch the west side of Blake Road.

150  
151 ***There being no further discussion, upon roll call vote, the motion carried 7-0 as***  
152 ***follows:***

153  
154 Hejmadi: Aye  
155 Loftus: Aye  
156 Rogness: Aye  
157 Miller: Aye  
158 Olson: Aye  
159 Maxwell: Aye  
160 White: Aye

161  
162 Resolution 20-092: Consideration of 2021 Budget Comments from the City of  
163 Greenwood

164  
165 Mr. Wisker appeared before the Board of Managers and reviewed the request for board  
166 action. He explained that Resolution 20-092 was prepared in response to a series of  
167 comments and correspondence with the City of Greenwood concerning the City's request  
168 for allocating MCWD funds to aquatic invasive species activities.

169  
170 ***It was moved by Manager Miller, seconded by Manager Hejmadi to adopt Resolution***  
171 ***20-092: Consideration of 2021 Budget Comments from the City of Greenwood, as***  
172 ***follows:***

173  
174 ***NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek***  
175 ***Watershed District Board of Managers hereby decides to not modify its 2021***  
176 ***budget in response to requests made by the City of Greenwood, and directs the***  
177 ***Board President and District Administrator to communicate this decision to the***  
178 ***Greenwood City Council.***

179

180 ***BE IT FURTHER RESOLVED that the Minnehaha Creek Watershed District***  
181 ***Board of Managers hereby reaffirms its decision to sunset its AIS pilot***  
182 ***programs, and directs staff to continue monitoring statewide trends in AIS***  
183 ***programming to ensure the MCWD remains situationally aware of***  
184 ***opportunities or threats that may cause the Board of Managers to reevaluate its***  
185 ***strategic position on the issue.***

186  
187 ***Upon roll call vote, the motion carried 7-0 as follows:***

188  
189 Hejmadi: Aye  
190 Loftus: Aye  
191 Rogness: Aye  
192 Miller: Aye  
193 Olson: Aye  
194 Maxwell: Aye  
195 White: Aye

196  
197 **BOARD DISCUSSION ITEMS**

198  
199 **Human Resources Recommendations for IT and Operations**

200  
201 Mr. Wisker reviewed his findings and recommendations for staffing IT and Operations.  
202 In response to a question from Manager Miller, Mr. Wisker noted that the human  
203 resources changes from the strategic planning process are largely complete. Mr. Alex  
204 Steele appeared before the Board of Managers and noted his support for these  
205 recommendations, and that he appreciates the culture, mission and clear direction at the  
206 District. Ms. Deb Johnson appeared before the Board of Managers and expressed her  
207 appreciation for the learning environment at the District. Manager Loftus expressed her  
208 complements on the human resources work that Mr. Wisker has led in the past few years.  
209 Mr. Wisker noted that his recommendations would be presented in a resolution for the  
210 Board’s consideration at its next meeting on December 17. The managers thanked Mr.  
211 Wisker, Mr. Steele and Ms. Johnson for this information.

212  
213  
214 **STAFF UPDATES**

215  
216 **Taft – Legion Project Update**

217  
218 Ms. Becky Christopher appeared before the Board of Managers and reviewed the  
219 ongoing problems with the performance of the project, and continued discussions with  
220 the City of Richfield. Ms. Christopher noted that since Barr Engineering has performed  
221 an assessment of the project, some modifications have led to modest improvements, but  
222 the project still falls far short of design expectations. Ms. Christopher stated that staff  
223 will be reporting back to the Board on further discussions with the City of Richfield.

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224 Administrator's Report

225

226 Mr. Wisker reported on the following items:

227

- 228 1. Staff is working with Wenck to address erosion at the Wassermann carp barrier.  
229 A contractor has provided a quote of \$6,000 – 7,000 to perform necessary repair  
230 work, and staff will coordinate with President White's approval to perform this  
231 work as soon as possible;
- 232 2. Mr. Wisker will work with Manager Olson to develop a resolution of appreciation  
233 for the service of Carver County Commissioner Randy Maluchnik;
- 234 3. Staff is completing the process to winterize the Gray's Bay control structure; and
- 235 4. Staff and managers have appreciated the virtual annual conference of the  
236 Minnesota Association of Watershed Districts.

237

238

239 Adjournment

240

241 There being no further business, President White declared the meeting of the Board of  
242 Managers adjourned at 8:43 p.m.

243

244 Respectfully submitted,

245

246

247

248 Kurt Rogness, Secretary

249