

Capitol Region Watershed District



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Regular Meeting Minutes of the Capitol Region Watershed District (CRWD) Board of Managers, for **Wednesday, February 17, 2010, 6:00 p.m.** at the office of the CRWD, 1410 Energy Park Drive, Suite 4, St. Paul, MN 55108.

I. Called to Order at 6:00 p.m. (Vice President, Joe Collins)

A) Attendance

Robert Piram (absent w/notice)
Joe Collins
Seitu Jones
Mike Thienes
Marylyn Deneen

Others Present

Mark Doneux, CRWD
Bob Fossum, CRWD
Forrest Kelley, CRWD
Camille Logan, CRWD
Elizabeth Beckman, CRWD
Anna Eleria, CRWD
Pat Conrad, EOR, Inc.

Todd Shoemaker
Wenck & Associates
Pamela Massaro
Wenck & Associates
David MacMillan,
Ramsey County Attorney
Val Anderson,
Loucks & Associates.

B) Review, Amendments and Approval of the Agenda

Manager Collins asked for additions or changes to the Agenda. There were no additions or changes to the Agenda.

Motion 10-02-07: *To approve the February 17, 2010 Agenda as provided.*

Jones/Deneen
Unanimously Approved

II. Public Comment – For items not on the Agenda.

There were no public comments.

III. Permit Applications

A) Permit #09-031 Wells and Russell Street Reconstruction – Permit Amendment (Kelley)

Forrest Kelley reviewed CRWD Permit # 09-031 Wells and Russell Street Reconstruction. The applicant is St. Paul Port Authority who originally purposed construction to connect Phalen Boulevard to Forest Street on Wells and Russell Street and demolition of select buildings. Mr. Kelley said the Board previously approved this application at the January 6, 2010 Board Meeting. The applicant has since revised the project to include demolition on additional parcels and a second infiltration basin. The additional basin allows the applicant to increase the volume reduction bank credit from 8,545 to 16,976 cubic feet. Mr. Kelley said the demolished areas will be converted to turf grass. The turf areas will drain to relatively small stormwater ponds. These ponds have not been designed with a specific amount of impervious surface, so it is not known if these are designed correctly for future development. Future development will therefore require additional CRWD permit application(s). Mr. Kelley said this project has 10.1 acres of disturbed area and 1.8 acres of proposed impervious surface. The staff recommendation is to approve the permit with two conditions.

Motion 10-02-08: *To approve permit #09-31 Wells and Russell Street Reconstruction subject to the following two conditions:*

1. *Submit a copy of the NPDES permit application.*
2. *Specify installation of plugs or potted plants in the proposed infiltration basin bottoms.*

Deneen/Jones
Unanimously Approved

B) Permit Program/Rules Update (Kelley)

Mr. Kelley said there is no update on Rules. Mr. Kelley noted that Todd Shoemaker has been working on small site assessments. Mr. Kelley said there will be a permit request at the next meeting for the reconstruction of the Hwy 36 and Rice Street interchange. Mr. Kelley said staff is working on completing the Cleveland Randolph study by the end of March. Staff have received the second survey back from residents requesting they measure the depth of their basement.

IV. Special Reports

A) Financial Management Planning (Doneux)

Administrator Doneux said during the 2010 Budget process a number of fiscal policies were reviewed and discussed. One specific topic identified for further discussion was the inadequacy of the Capital Improvement Program (CIP) Levy to fund future projects. The Board must start determining the future Watershed Management Plan (WMP) funding expectations and the sources of revenue. Administrator Doneux said to begin long term financing discussion, staff has worked with our Financial Planner, Dave Callister of Ehlers & Associates, Inc. to develop a long-range financial model that includes both operating and capital budgets. In March and December, 2009 and in January 2010, Board and staff met with Dave Callister to review a financial model based on the current 2009-2010 CIP adopted plan and projected costs from the draft Watershed Management Plan. Based on the January 6, 2010 discussion the model was further refined to evaluate only CIP funding that would be funded by 75% Debt issue bonds and the other 25% would be through an annual tax levy. Administrator Doneux said the current model uses the following assumptions; operational costs are 100% levy funded, scenario 2 uses the assumption that the Capital Improvement Program would be funded by 75% Debt issue bonds and the other 25% would be through an annual tax levy, and the annual comparisons of percent levy change, tax rate and tax impact are useful for planning. Manager Jones said it is hard for the Board to predict what is going to happen, even two years from now. The Board reviewed and discussed the revised financial model.

V. Action Items

Consent Agenda

Manager Collins asked for a motion to approve the February 17, 2010 Consent Agenda as presented.

Motion 10-02-09:

- A) Approve Minutes of the February 3, 2010 Regular Meeting as presented.*
- B) Approve Accounts Payables for \$194,666.08 and the Accounts Receivable for \$28,189.87 for the month of January 2010 and direct Board Vice President and Treasurer to endorse and disperse checks for payment.*
- C) Approve grant to the recycling Association of Minnesota not to exceed \$7,500 subject to the following conditions:*
 - 1) The CRWD and Recycling Association of Minnesota must both approve and enter into a Cooperative Agreement;*
 - 2) Recycling Association of Minnesota will regularly submit lists of online purchasers so staff may confirm CRWD residency; and*
 - 3) All conditions must be met and the project completed by December 31, 2010.*

Jones/Deneen

Unanimously approved

Discussion

D) Approve Communications Consultant (Beckman)

Ms. Beckman said at the January 6, 2010 meeting, CRWD Board Managers authorized staff to distribute a Request for Qualifications (RFQ) to communications firms. Ms. Beckman explained that the successful firm

will help the District refine our communication goals, segment audiences, match messages and tactics to those audiences, and measure the effectiveness of our effort, and use these tools to increase participation in our neighborhood downspout redirection campaign. Ms. Beckman said staff and Board Managers Jones and Deneen reviewed the ten submissions received by the January 22, 2010 deadline. Ms. Beckman said three firms were chosen to be interviewed on February 10, 2010. Ms. Beckman discussed the composite scores and compiled comments the subcommittee used during the interview process. Ms. Beckman said after careful consideration, the committee recommends LaBreche to create a strategic communications plan, and assist with the design of our downspout redirection program. Manager Jones said all of the finalists were well qualified but LaBreche had a little more creativity. Manager Thienes asked that costs be included in the ranking table. Manager Deneen added that all three firms were good but LaBreche brought really good ideas to the interview. Discussion occurred.

Motion 10-02-10: *Approve the selection of LaBreche and authorize the Board President and the Administrator to execute an agreement to complete communications work consistent with their proposal dated February 10, 2010.*

Deneen/Thienes

Unanimously approved

E) Central Corridor Light Rail Transit Stormwater Design Workshop Report (Eleria)

Ms. Eleria said in late spring 2009, CRWD, the City of Saint Paul, Ramsey County and Metropolitan Council formed an interagency partnership to develop plans for innovative stormwater management practices in the Central Corridor Light Rail Transit (CCLRT) project area that would maximize stormwater volume reduction and water quality improvements as well as provide landscaping, improved aesthetics and other environmental benefits. Ms. Eleria said to kick off this partnership and begin formulating ideas, a stormwater design workshop was held on June 25, 2009, which brought together over 50 participants from various government agencies and other groups. The goal of the workshop was to develop conceptual plans of green infrastructure practices that would meet the budget and timeline of CCLRT; meet the stormwater standards of CRWD; be cost effective, sustainable and compatible with the proposed CCLRT landscape plans; and emphasize the use of a variety of green infrastructure practices. Ms. Eleria said CRWD staff and its consultant engineers have completed a draft report of the workshop, which summarizes the Corridor's site conditions and constraints and the proposed green infrastructure practices that could meet CRWD's stormwater management goals as well as offer landscape/aesthetic amenities. Ms. Eleria reviewed the draft report, which incorporates comments from the City of Saint Paul and others. Ms. Eleria explained that the approved budget of \$67,300 for the CCLRT Workshop, which includes workshop preparation and participation and preparation of summary report by three consultant engineers, has been exhausted. CRWD will receive \$40,000 for the workshop from Met Council. Ms. Eleria said to complete the report and address extensive comments on its draft, additional time has been spent by both CRWD staff and EOR. Ms. Eleria noted that staff will request additional funds for EOR to finish the report at a future Board meeting. Manager Thienes expressed concerns about completing the report for a workshop that was held last year. Manager Collins noted that he liked the report.

Motion 10-02-11: *Approve Central Corridor Light Rail Transit Stormwater Design Workshop Report.*

Jones/Thienes

Unanimously approved

F) Trout Brook Interceptor Engineering Services – Work Order No. 2 (Eleria)

Ms. Eleria said in 2005, a hydraulic/hydrologic model for the Trout Brook Storm Sewer Interceptor (TBI) was developed by TKDA. The model was large scale, limited in detail and not calibrated to actual water level and flow data in TBI. Several recommendations were made by TKDA to enhance the model in the future. In addition, in 2008 as part of the feasibility study for the Maryland Avenue repairs, Barr Engineering identified several enhancements and made other recommendations to the existing model. Ms.

Eleria noted that five years later, the TBI hydraulic/hydrologic model needs to be updated and calibrated to accurately estimate storm sewer flows and upstream flood elevations as well as understand the hydrology/hydraulics of Willow Reserve. Barr Engineering has prepared the draft Work Order No. 2 for revising the existing XP-SWMM model. Major tasks for this project include: 1) data gathering and review of TBI storm sewer data, CRWD monitoring data, and GIS information; 2) development of more detailed subwatershed divides; 3) correction of errors in the existing model; 4) calibration of the model; 5) revision of storm sewer flows and upstream flood elevations for three separate storm events; and 6) detailed subwatershed modeling of Willow Reserve. Ms. Eleria noted that this work does not include additional field investigation or survey work whose scope is unknown but assumed to be necessary for revising the model. CRWD anticipates that an amendment to this work order will be submitted later this spring. Barr Engineering anticipates the project budget not including field work to be \$70,900. CRWD estimated \$50,000 in 2010 for this work. The overall 2010 budget for TBI related work is nearly \$230,000. For TBI Project Planning and Operations, the budget is \$129,205 and for TBI capital improvement projects, the 2010 budget is \$100,000. Ms. Eleria explained that other TBI work may need to be delayed or funded through Fund Balance to complete this work order. Manager Thienes questioned the cost of the project. He asked why an update would cost \$70,000 when the original model cost was \$30,000. Staff reviewed the additional detail this model would have provided and time involved calibrating the model with 5 years of flow data. Manager Thienes reiterated his concerns over the cost of the project.

Motion 10-02-12: *Authorize Work Order No. 2 to Barr Engineering for TBI Model Update*

Deneen/Jones

Unanimously approved

G) Crosby Lake Management Grant Agreement (Eleria)

Ms. Eleria said late last year, the Minnesota Pollution Control Agency (MPCA) awarded the Capitol Region Watershed District a \$50,000 grant for the development of the Crosby Lake Management Plan. Ms. Eleria said MPCA has provided CRWD a grant agreement to review and sign for the Crosby Lake Management Plan, which is enclosed for Board review and approval. The grant agreement outlines the conditions, amount and schedule for the grant. Ms. Eleria said CRWD's legal counsel has reviewed and commented on the agreement highlighting several conditions to be aware of. First, CRWD's Board of Managers need to appoint a project representative by resolution or motion who will have full authority to represent CRWD in its fulfillment of the terms, conditions, and requirements of this agreement. CRWD staff recommend Anna Eleria be appointed as project representative. Second, there are several conditions for hiring a subcontractor to assist with the project including PCA review of the subcontract and inclusion of the subcontractor's hourly rates, indirect rates and profit rates. Ms. Eleria said despite these comments, CRWD's legal counsel states that they do not preclude execution of this agreement by CRWD's Board of Managers.

Motion 10-02-13: *Approve MPCA Grant Agreement for the Crosby Lake Management Plan and appoint Anna Eleria as Project Representative to PCA.*

Thienes/Jones

Unanimously approved

H) Easement for Gottfried's Pit Project (Fossum)

Mr. Fossum said during the past several months District staff and consultants have been working on the Gottfried's Pit Improvement plans. The project includes replacement of pumps at the Pit and installation of 630 feet of new forcemain under Larpenteur Ave and south to the cul de sac on Huron St. in St. Paul. At the November 4th Board meeting the Managers approved the cooperative construction agreements with Falcon Heights, Roseville, St. Paul and Ramsey County. The Board also approved the geotechnical work needed for the project at the November 4th meeting. Mr. Fossum said during the preliminary engineering process and through meetings with the project partners it was determined that the best alignment across Larpenteur Avenue would be one that placed the new forcemain under a small portion of private property. This segment

of pipe, which will be directionally drilled to prevent the need to disturb and restore Larpenteur Ave. will impact the northwest corner of the Larpenteur Estates property at the southeast corner of the intersection of Larpenteur Avenue and Huron Street right-of-way. This property is owned by Larpenteur Estates, LLC. Mr. Fossum explained that staff have been working to secure easement agreements with the property owner on the southeast corner of the intersection of Larpenteur Avenue and Huron Street right-of-way. Staff is currently negotiating the terms of an agreement including the associated fees for the easement on this property. Since final decisions on the easement agreements will be made by the private property owner over the next couple of weeks staff are seeking approval to negotiate and agree to an easement with compensation. Based on past experience by the City of St. Paul in obtaining easements for similar purposes it is anticipated that compensation for the easement shall not exceed \$5 per square foot. At this time the easement being discussed is an area roughly 200 sq. ft. Staff have confirmed with the District Attorney that the District is not required to complete an appraisal of the property to obtain the easement. Mr. Fossum said staff are not recommending an appraisal.

Motion 10-02-14: *Approve the easement with Larpenteur Estates, LLC for an amount not to exceed \$5 per square foot, subject to the approval of the Ramsey County Attorney.*

Thienes/Jones

Unanimously approved

I) Villa Park Wetland Management Plan (Fossum)

Mr. Fossum said on August 20, 2008, the Managers approved the scope and budget with Wenck Associates, Inc. for the Villa Park Wetland Management Plan. The study documents the water and nutrient dynamics of the system and identifies management options to optimize the systems removal efficiency. At the June 3, 2009 Board meeting the Managers authorized distribution of the draft Villa Park Wetland Management Plan to selected partners for their review. Mr. Fossum noted that staff have sent the draft plan to Roseville and the MN Department of Resources for their review and convened follow up meetings to discuss the Plan. Both entities found the report well done and have no comments on the Plan. The Manager's have reviewed the draft plan and directed staff and Wenck Associates to clarify the report to make sure the recommended management option was more clear. Staff and Wenck Associates have worked to revise the draft Villa Park Wetland Plan by adding a new section—Section 9.0 Recommended Management Options in an attempt to highlight the recommended option more clearly. Mr. Fossum explained that the table of contents and executive summary have been amended accordingly. Mr. Fossum said the next starts include a group of senior engineering students and the University of Minnesota will complete a capstone project as part of their degree. Their project will be initial work on a subwatershed analysis of the Villa Park subwatershed. Their work will be to build a computer model of the system and preliminarily identify BMPs to reduce volume and phosphorus to Villa Park. Mr. Fossum reminded the Board that the District was awarded a \$430,000 loan from the MPCA through State Clean Water Partnership Program for the recommended option of dredging wet cells 1 through 5 of the Villa Park Wetland System. Mr. Fossum said staff had a meeting with Roseville staff on yesterday to begin preliminary discussions relative to this project.

Motion 10-02-15: *Adopt Villa Park Wetland Management Plan.*

Thienes/Jones

Unanimously approved

J) Contract Amendment for Watershed Management Plan (Fossum)

Mr. Fossum said on May 21, 2008 the Managers adopted the 2010 Watershed Management Plan workplan, budget, schedule, and financing for a total project budget of \$413,811. The Managers also approved the scope, budget and schedule with EOR, Inc. for the 2010 Watershed Management Plan for an amount not to exceed \$350,911. The 2010 WMP has been drafted and we have completed the first 60-day review and comment period. Remaining work on the plan prior to adoption by the board includes revisions for the 45-day review draft. Receiving and responding to comments from the 45-day review period, and revisions for

the final 90-day BWSR review. Staff and EOR, Inc. have estimated the remaining level of effort needed to bring to plan to adoption. Staff is requesting a contract amendment of \$22,000 to complete the Watershed Management Plan. Mr. Fossum noted that these costs and effort do not include printing costs of the final plan or the WMP Summary that has been discussed by the Board previously. Staff intends to discuss these items further with the Board during the 90-day BWSR review later this year and determine the scope and costs at that time.

Motion 10-02-16: *Approve contract amendment with EOR, Inc. for the 2010 WMP for an amount not to exceed \$22,000, for a total contract amount of \$372,911.*

Deneen/Jones

Unanimously approved

VI. Unfinished Business

A) City of St. Paul Water Resource Work Group (Doneux)

Administrator Doneux said there was a meeting February 3rd and the discussion was about the Como Lake TMDL, the Trout Brook Model and additional BMPs. The topics for the March meeting will include the Crosby Lake Management Plan and continue the discussion about the Como Lake TMDL.

B) Central Corridor Light Rail Transit Update (Kelley & Eleria)

Ms. Eleria said staff submitted the final designs and they will be incorporated into the Central Corridor. Mr. Kelley said the District received plans and Todd Shoemaker is putting together a draft permit report and a draft comment letter to send to Met Council later this week.

C) Como TMDL Update (Fossum)

Mr. Fossum said there was a meeting with the cities and MPCA earlier today. Revisions to the Plan will be made based on today's meeting and the Plan will be redistributed to the cities.

VII. General Information

A) February CAC Update

Manager Thienes said Elizabeth Storey provided an Education and Outreach Plan update and staff reviewed the Watershed Management Plan - Response to Comments with the committee. There was a Central Corridor update and the Committee discussed revisions to the By-Laws.

B) Administrator's Report

Administrator Doneux gave the Administrators Report and noted the following events and announcements; Barr Engineering Company and the CRWD have won an award for the Maryland Avenue Repairs of the Trout Brook Interceptor. The Board is invited to the 46th Annual Engineers Week Awards and Recognition Banquet. The banquet will be held Friday, Feb. 19 at the Minnesota Landscape Arboretum in Chaska. The evening will begin at 5:30 with a networking social and silent auction to benefit our engineering scholarships and MATHCOUNTS program, followed by individual awards and scholarship recognitions, dinner, and the annual Seven Wonders of Engineering Awards presentation.

VIII. Meeting Agenda Review

Wednesday, March 3, 2010 Regular Meeting Agenda Review

Manager Jones will be absent March 3rd.

IX. Adjournment – 7:30 p.m. adjourned by consensus.

Respectfully submitted,

Camille Logan

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