

# Capitol Region Watershed District



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**Regular Meeting Minutes** of the Capitol Region Watershed District (CRWD) Board of Managers, for **Wednesday, January 6, 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 6:02 p.m.** (President, Robert Piram)

### **A) Attendance**

Robert Piram  
Joe Collins  
Seitu Jones  
Mike Thienes  
Marylyn Deneen

### **Others Present**

Mark Doneux, CRWD  
Bob Fossum, CRWD  
Forrest Kelley, CRWD  
Dawn Nelson, CRWD  
Elizabeth Beckman, CRWD  
Anna Eleria, CRWD  
Jerome Wagner, CAC0

Dave Callister,  
Ehlers & Associates  
Todd Shoemaker  
Wenck & Associates  
Dan Solas,  
Wenck & Associates  
Pat Conrad, EOR, Inc.  
David MacMillan,  
Ramsey County Attorney

### **B) Review, Amendments and Approval of the Agenda**

Manager Piram asked for additions or changes to the Agenda. No additions or changes to the Agenda.

*The Board adopted the Agenda as provided by consensus.*

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

Jerry Wagner spoke about Bruce Bloomberg, one of the men who assembled a record of thousands of Minnesota water wells over decades.

## **III. Permit Applications**

### **A) Permit # 09-030 Highway 94 Reconstruction (Kelley)**

Forrest Kelley reviewed Permit #09-030 Highway 94 Reconstruction. Mr. Kelley said the applicant is MNDOT and the project purpose is resurfacing and drainage improvements on Highway 94 from 280 to Western Avenue. The applicable rules are Stormwater Management (Rule C), Erosion Control (Rule F) and Floodplain Management (Rule D). Mr. Kelley said the project has 2.6 acres of disturbed area and 1.3 acres of proposed impervious surface. Mr. Kelley said staff recommendation is to approve the permit with three conditions but before the Board considers approving the permit the Board must consider a deferral request. Mr. Kelley said the Minnesota Department of Transportation is completing a mill and overlay project on Highway 94 from Highway 280 to Western Avenue. There is approximately 1.3 acres of new impervious surface that fall under the requirements of Rule C. Mn/DOT is requesting 4,247 cubic feet of volume reduction deferral to future projects. Mr. Kelley explained that Mn/DOT is requesting alternative compliance due to steep slopes, roadway, elevations, limited space in the right of way and the maintenance and safety concerns of placing structures underground within the highway corridor. Mr. Kelley said Mn/DOT has identified two future projects with the potential to provide excess volume reduction credits to make up for the volume deficit. One is at Highway 280 and Highway 94, the other is the Highway 36/Rice Street Bridge project. Mr. Kelley said staff recommend approval of the requested deferral of 4,247 cubic feet of volume reduction to a future identified project to be constructed within 2 years of the date of permit application.

**Motion 10-01-01:** *Approve Deferral of 4,247 cubic feet of Volume Reduction Credits for the Minnesota Department of Transportation in accordance with Stormwater Management Rule C.*

Collins/Deneen

Unanimously Approved

**Motion 10-01-02:** *To approve Permit #09-030 Highway 94 Reconstruction subject to the following three conditions:*

1. *Receipt of maintenance agreement.*
2. *Provide gross pollutant removal as required in Stormwater Rule C, Section 3, Part d.*
3. *Identify the project location to which the retention volume shall be deferred. Provide specific plans and calculations to document the deferred volume is provided at the off-site location.*

Thienes/Deneen

Unanimously Approved

**B) Permit #09-031 Wells and Russell Street Reconstruction (Kelley)**

Mr. Kelley reviewed CRWD Permit # 09-031 Wells and Russell Street Reconstruction. The applicant is St. Paul Port Authority and the project purpose is the construction to connect Phalen Boulevard to Forest Street on Wells and Russell Street. The project is on the former 3M property, east of the Forest Street Bridge, north of Phalen Boulevard. The applicable rules are Stormwater Management (Rule C), Erosion Control (Rule F) and Floodplain Management (Rule D). Mr. Kelley said this project has 13.5 acres of disturbed area, 1.8 acres of proposed impervious surface and the proposed stormwater management is one infiltration basin and one NURP pond. The staff recommendation is to approve the permit with 3 conditions.

**Motion 10-01-03:** *To approve permit #09-31 Wells and Russell Street Reconstruction subject to the following three conditions:*

1. *Receipt of maintenance agreement.*
2. *Submit a copy of the NPDES permit application.*
3. *Submit a landscaping plan for the infiltration basin and identify seed types and stabilization methods for Parcel 4 and Parcel 5.*

Deneen/Jones

Unanimously Approved

Mr. Kelley said the St. Paul Port Authority is requesting 8,545 cubic feet of excess volume reduction credit as part of the Wells and Russell Street project. Permit 09-031 requires 5,881 cubic feet of volume reduction. The surface infiltration basin proposed for the project is sized to hold 17,391 cubic feet of volume reduction. The area draining to the basin will produce 14,426 cubic feet of runoff from a 2-inch event. The excess bankable volume for the project is therefore 8,545 cubic feet. Mr. Kelley said staff recommends that 8,545 cubic feet of excess volume achieved by exceeding the required treatment be approved for deposit by the St. Paul Port Authority for a new balance of 8,545 cubic feet.

**Motion 10-01-04:** *Approve 8,545 cubic feet of Volume Reduction Credits for the St. Paul Port Authority with the following conditions.*

- a. *Submittal of As-Built Plans to Verify Post-Construction Volume Reductions.*
- b. *Review and Approval of the Ramsey County Attorney.*

Collins/Thienes

Unanimously Approved

### **C) Permit Program/Rules Update (Kelley)**

Mr. Kelley said the only new permit in the works is a Pedestrian Trail between Crosby Park and Shepherd road. Manager Jones asked what City of Saint Paul Department is applying for the permit. Mr. Kelley said he has not dealt with the applicant directly so he does not know. Mr. Kelley said staff is working on addressing the City of St. Paul's question on infiltration credits provided during storm infiltration. Mr. Kelley said there has not been any engineering work on the small site analysis yet, but it will begin very soon.

## **IV. Special Reports**

### **A) Cleveland Randolph Groundwater Study Update, Dan Solas, Wenck and Associates**

Dan Solas, Wenck and Associates provided an update on the Cleveland Randolph Groundwater Study. Mr. Solas said the groundwater model is completed and staff have a very good understanding of what a typical infiltration project would do in this area based on a variety of scenarios. Mr. Solas said groundwater observation wells were installed in January of 2009 and groundwater elevations have been taken monthly throughout the spring and summer. Mr. Solas said Wenck has identified 8 possible projects to include in the model. Mr. Solas said in order to better understand the potential interaction between groundwater and resident basements, Capitol Region Watershed District staff mailed a postcard with survey questions to the homeowners within the study area. Mr. Solas said the postcard was distributed to 1,544 property owners in the study area and staff received 418 responses for a 27% response rate which is excellent. Mr. Solas said the survey results say that the problems are evenly distributed throughout study area. Manager Deneen asked if anyone has asked the college if they have experienced flooding. Mr. Solas said no one has asked. Manager Collins asked if the report will provide recommendations to residents. Mr. Solas said the intent is not to give any advice but to identify the basements that are wet because of the high groundwater aquifer. Administrator Doneux noted that there is an action item later on the Agenda requesting a contract amendment with Wenck and Associates for the groundwater study. Mr. Kelley noted that staff did attempt to get information from St. Catherine's with no response. The Board thanked Mr. Solas for his presentation.

### **B) CIP Financing, Dave Callister, Ehlers & Associates, Inc.**

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 Watershed Management Plan is undergoing the 60 day review with an identified implementation plan, including Financing, for the next ten years. The Board must start determining the future Watershed Management Plan funding expectations and the sources of revenue. Administrator Doneux said to begin the 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. Administrator Doneux noted that in March and again in December the Board met with Dave Callister who reviewed a financial model based on the current (2009-2013 CIP) adopted plan and projected costs from the draft Watershed Management Plan. This model considered levy, debt and fund balance as revenue sources for the funding projects. Mr. Callister reviewed the updated model based on the budget estimated from the draft Watershed Management Plan.

It was noted that the current model uses the following scenarios; Operational costs are 100% levy funded; Scenario 1 used the assumption that the Capital Improvement Program would be funded by 50% Debt (issue bonds) and the other 50% would be through an annual tax levy; Scenario 2 used 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. Annual comparisons of percent levy change, tax rate and tax impact were reviewed for planning purposes.

One of the comments from BWSR on the draft Watershed Management Plan was “the plan does not identify the source of CRWD’s funding; i.e. will all programs and projects be financed through a district-wide levy?” Therefore, determining a method of financing a plan will need to be a component of our response to comments. To continue the review and refinement of our financial model, the Board must begin considering specific financing parameters. Some of these parameters may include; total operational and/or capital budget in dollars, maximum tax levy in dollars, maximum tax impact, or maximum percent levy increase. Once some of these parameters are determined, adjusting capital financing can be outlined. Equally important is the fact that if the overall budget changes this must be included in the next draft of the WMP. Administrator Doneux said he does not think BWSR is looking for a project by project answer but a general outline of a financing plan. Manager Collins asked if it is possible to set a dollar tax increase for each home and work from there to create the model rather than a percentage increase on a yearly basis. The consensus of the Board is the 75% - 25% scenario for Capital financing for the next version of the model. The Board thanked Mr. Callister for his presentation.

## **V. Action Items**

### **Consent Agenda**

Manager Piram asked for a motion to approve the December 1, 2009 Consent Agenda as presented.

#### **Motion 10-01-05:**

- A) Approve Minutes of the December 16, 2009 Annual Meeting as presented.**
- B) Approve Minutes of the December 16, 2009 Regular Meeting as presented.**
- C) Approve Contract Amendment with Wenck & Associates for the Cleveland Randolph Groundwater Study.**

Thienes/Jones

Unanimously approved

### **Discussion**

#### **D) Authorize a Request for Qualifications (RFQ) for a Communication Consultant (Beckman)**

Ms. Beckman said at the November 16, 2009 meeting, Board Managers directed CRWD staff to develop a more detailed 2010 Education and Outreach workplan, program plans for a neighborhood downspout redirection campaign and an educational display, and a solicitation for media and communications services. In early December staff sent a draft Request for Qualifications (RFQ) to six communications firms requesting feedback regarding the clarity of the project purpose. Staff received suggested changes from five firms and made appropriate revisions. The RFQ is a two-part request for a comprehensive communications strategy that articulates the District’s preferred water quality protection behaviors, and a plan for maximizing participation in the District’s 2010 downspout redirection program. Ms. Beckman said the RFQ describes the CRWD Education and Outreach Plan’s description of the importance of communication, media, public relations, or advertising to meet its education goals. The successful organization or firm will be qualified to 1.) help the District refine its communication goals, segment audiences, match messages and tactics to those audiences, and measure the effectiveness of our effort, and 2.) use these tools to increase participation in the neighborhood downspout redirection campaign. Ms. Beckman said the 2010 budget for the development and implementation of a communications strategy is \$25,000. The 2010 budget for the development and implementation of a downspout redirection program is \$26,000. A portion of the downspout redirection campaign funding could be used to fund promotion of the program. It is anticipated that the communications strategy will be completed in spring 2010, the downspout redirection campaign completed by October 2010, and project evaluation completed by December 2010. Manager Jones asked if the RFQ will be sent to the same firms as last time. Ms. Beckman said yes and additional firms.

**Motion 10-01-06:** *Authorize the distribution of a Request for Qualifications for a communications consultant.*

Jones/Deneen

Unanimously approved

## **VI. Unfinished Business**

### **A) 2010 Watershed Management Plan Update (Fossum)**

Mr. Fossum said at the September 22<sup>nd</sup> special board meeting the Managers authorized the start of the formal review process and distribution of the draft 2010 Watershed Management Plan to the required review agencies, CAC, TAC, and the Community Group. The Managers also set the required public hearing for the 2010 Watershed Management Plan for February 3, 2010 at 6:00 p.m. Mr. Fossum briefly discussed the comment letters that were received by the December 24<sup>th</sup> deadline and noted that they will be reviewed in more depth at the special meeting on January 14<sup>th</sup>.

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

Anna Eleria said in late November 2009, CRWD received comments from the City of Saint Paul and Met Council on the draft plans for additional stormwater best management practices (BMPs) in the Central Corridor Light Transit (CCLRT) area. The plans include three stormwater planters, one located on Aldine Street and two located on Albert Street, a raingarden on Syndicate Street, and two infiltration trenches located on Saint Albans Street and Arundel Street. Ms. Eleria said CRWD and its consultant engineers have addressed the City's and Met Council's comments and submitted a revised set of plans and specifications. Ms. Eleria reviewed the response letters as well as the cover page for the additional BMP plans with the Board and noted that staff anticipates receiving comments from the two parties by January 4, 2010. Ms. Eleria said besides receiving technical approval from the City on the additional BMP plans and specifications, the City is requiring a license agreement between the City and CRWD. Ms. Eleria said the City is currently drafting the agreement, which will be reviewed by CRWD's legal counsel and will likely be brought before the Board in mid-January. Manager Piram asked how close is the tree trench meeting the volume requirements. Administrative Doneux said staff have requested an update. Ms. Eleria concluded by saying staff hope to hear about the BWSR grant by the end of January.

### **C) City of St. Paul Water Resource Working Group (Doneux)**

Administrator Doneux said on several occasions over the past year, CRWD was informally made aware of the City of Saint Paul's Water Resource Working Group. The Board and staff have understood the City of Saint Paul was intending to implement a Water Resource Working Group, for some time, to coordinate projects between the City of Saint Paul and the CRWD. Administrator Doneux said as a partial response to our ongoing discussions over additional BMPs for the CCLRT, the City of Saint Paul has now formally outlined the Water Resource Management Interagency Collaboration Process. Administrator Doneux discussed the proposed process with the Board.

### **D) MN Chapter of the American Council of Engineering Companies Meeting (Doneux)**

Administrator Doneux said the Minnesota Chapter of the American Council of Engineering Companies is presenting CRWD and its consultants 2010 Engineering Excellence Awards for the Trout Brook Storm Sewer Interceptor Repair Project and the Arlington Pascal Stormwater Improvement Project. Administrator Doneux said the District and other award recipients will be honored at the 2010 Engineering Excellence Awards Dinner scheduled Friday, January 22, 2010. The dinner will be held at the Minnesota Valley Country Club in Bloomington. Administrator Doneux asked the Board Managers who are interested in attending. Managers Collins and Deneen said they will attend.

### **E) 2009 Special Grant Update (Fossum)**

Mr. Fossum said at the December 3, 2008 Board Meeting the Managers approved special grant requests from the City of Falcon Heights and the City of Saint Paul for \$88,000 each. The City of Falcon Heights' project

was a retrofit of their existing City Hall Parking lot with pervious asphalt pavement and two rain gardens. Mr. Fossum said the construction of the pervious asphalt parking lot and rain gardens was completed in late summer 2009. Falcon Heights has requested reimbursement funding for the project in the amount of \$67,000.66. Mr. Fossum said staff has reviewed the request and confirmed it is consistent with the cooperative agreement for the project. Mr. Fossum said staff would like to include the reimbursement request in the December accounts payable to be considered at the January 20<sup>th</sup> Board meeting.

## **VII. General Information**

### **A) Administrator's Report**

Administrator Doneux gave the Administrators Report and noted the following events and announcements

- 1) Camille Logan has been hired as the CRWD's new Administrative Assistant-Receptionist. Camille's previous work experience includes time with the City of Saint Paul Parks and Recreation Division. Camille's first day was December 7<sup>th</sup> and she will generally work Monday, Wednesday and Thursdays.
- 2) Elizabeth Beckman and Forrest Kelley celebrated their 3<sup>rd</sup> Anniversary with the District on January 2<sup>nd</sup>.
- 3) Administrator Doneux was invited by Deb Swackhammer from the University of Minnesota Water Resource Center to be on the Citizen Stakeholder Advisory Group for the Minnesota Water Sustainability Framework. The University of Minnesota's Water Resources Center has been charged by the Minnesota State Legislature to develop the framework for sustainable water management, a set of recommendations that will protect and preserve Minnesota's lakes, stream, rivers and ground waters for the 21st century and beyond without compromising people's current needs, water quality or natural ecosystems. Administrator Doneux attended the first meeting of this group in December and the second meeting is on January 5<sup>th</sup>.
- 4) CRWD Office will be closed Monday, January 18<sup>th</sup> for Dr. Rev. Martin Luther King Jr. Holiday.
- 5) Reminder: Special Board Meeting on Thursday, January 14<sup>th</sup> at 5:00 PM to review the draft response to comments for the Watershed Management Plan.
- 6) Metro MAWD will meet at the District Office on Tuesday, January 19<sup>th</sup> at 7:00 PM.
- 7) Reminder: The Minnesota Chapter of the American Council of Engineering Companies Award Banquet is Friday, January 22<sup>nd</sup> from 6:00-9:00 PM at the Minnesota Valley Country Club in Bloomington.
- 8) Administrator Doneux was elected as Chair of the MAWD Awards Committee at the 2009 Annual Meeting by the Association of District Administrators.

## **VIII. Meeting Agenda Review**

**Thursday, January 14, 2010 Special Meeting Agenda Review**

**Wednesday, January 20, 2010 Regular Meeting Agenda Review**

**IX. Adjournment** – 8:20 p.m. adjourned by consensus.

Respectfully submitted,

Dawn Nelson

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