



## Capitol Region Watershed District

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**April 19, 2023, Board Meeting**  
APPROVED

### **Regular Board Meeting** of the Capitol Region Watershed District (CRWD) Board of Managers, for **Wednesday, April 5, 2023, at 6:00 p.m.**

*CRWD has returned to in-person Board of Managers meetings. The public is invited to attend in person as well. Currently, a virtual attendance option is not available.*

Please visit [www.capitolregionwd.org](http://www.capitolregionwd.org) to get additional CRWD COVID-19 information.

### **REGULAR MEETING MINUTES**

#### **I. A) Call to Order of Regular Meeting** (*President Joe Collins*)

##### **Managers**

Joe Collins  
Hawona Sullivan Janzen  
Shawn Mazanec  
Rick Sanders  
Mary Texer

##### **Staff Present**

Mark Doneux  
Nate Zwonitzer  
Belinda Armstead  
Forrest Kelley  
Meilina Dalit  
Acadia Stephan

##### **Public Attendees**

Rebecca Carlson, Resilience Resources  
Lucious Jonett, Resilience Resources  
Olive Weston, Resilience Resources  
Lucy DeBoer, University of Minnesota  
Jane Schaefer, University of Minnesota  
Bob Simonet, CAC  
James Mogen, Ramsey County Attorney

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

Administrator Doneux requested the addition of Action Item G to authorize the Clean Water Fund Grant Agreement for \$950,000 for the future McMurray Field project.

**Motion 23-041:** *Approve the Agenda of April 5, 2023, with the addition of Action Item G – Authorize Clean Water Fund Grant Agreement for McMurray Field.*

Mazanec/Sanders  
Unanimously Approved

#### **II. Public Comment**

A) Public Comment for Items not on the Agenda (*Please observe a limit of three minutes per person.*)

#### **III. Permit Applications and Program Updates**

*(Permit Process: 1) Staff Review/Recommendation, 2) Applicant Response, 3) Public Comment, and 4) Board Discussion and Action.)*

A) 22-012, McCarrons Water Treatment Plant (Kelley)

Mr. Kelley reviewed permit #22-012, McCarrons Water Treatment Plant, which is a permit to upgrade a drinking water facility near Lake McCarrons. The applicant is proposing four infiltration basins and one detention basin. The disturbed area is 19.6 acres and total impervious are of 7.8 acres. The project intends to remove an infiltration basin installed under permit #11-009.

**Motion 23-042:** *Approve permit #22-012, McCarrons Water Treatment Plan with 3 conditions:*

1. *Receipt of documentation of maintenance agreement recorded with Ramsey County, being sure to include a scaled site plan and site-specific maintenance plan.*
2. *Provide approved plans signed by a professional engineer per the Minnesota Board of AELSLAGID. Include list of page locations for items included in Full Underdrain Plans received 3/17/2023.*
3. *Provide a site-specific maintenance plan that includes the following:*
  - a. *List all stormwater management practices (i.e., infiltration basins, detention basin, pretreatment, outlet control structures, etc.).*
  - b. *Person responsible for maintenance of stormwater devices.*
  - c. *Frequency of inspection/ indicator that maintenance is needed as recommended by the Minnesota Stormwater Manual.*
  - d. *Description of inspection activities as recommended by the Minnesota Stormwater Manual.*
  - e. *Description of maintenance activities as recommended by the Minnesota Stormwater Manual.*
  - f. *Map that includes stormwater management names, locations, and access routes.*

Mazanec/Sanders

Unanimously Approved

**B) 23-003, Marshall Avenue Flats (Stephan)**

Ms. Stephan reviewed permit #22-003, Marshall Avenue Flats, for construction of an apartment complex with an underground parking garage that is proposed on an existing lot with an office building. The project has a total of disturbed area of 1.2 acres and 0.89 acres of total impervious area. Permanent stormwater management consists of an underground infiltration system in the parking lot near the building.

**Motion 23-043:** *Approve permit #22-003, Marshall Avenue Flats with 6 conditions:*

1. *Receipt of \$4,500 surety.*
2. *Receipt of documentation of maintenance agreement recorded with Ramsey County, being sure to include scaled site plan and site-specific maintenance plan.*
3. *Provide a copy of the NPDES permit.*
4. *Revise estimated BMP quantities on Sheet C300 to correspond with Sheets C302 and C303 for inlet protection. Sheet C300 estimates 7 inlet protection devices, but Sheets C302 and C303 show 9 and 14 inlet protection devices, respectively.*
5. *Revise high-water level (HWL) in the stormwater report for the underground infiltration system to be consistent with the HydroCAD model and plans. HWL is listed as 228.59' in the HydroCAD and the Plans on Sheet C500 and C510 but is listed as 228.22' in the stormwater report.*
6. *Revise maintenance plan to address the following items:*
  - a. *Person responsible for maintenance of stormwater devices.*
  - b. *Revise drawdown threshold from 72 hours to 48 hours.*
  - c. *Add description of maintenance activities for when the underground infiltration system does not drain within 48 hours.*

Mazanec/Sanders

Unanimously Approved

**IV. Special Reports –**

## A) Diversity, Equity, and Inclusion Mid-Plan Review (Armstead)

Belinda Armstead provided an update on the mid-plan review of CRWD's 2020-2025 Diversity, Equity, and Inclusion (DEI) Plan, outlining the Plan's goals, accomplishments, and next steps.

There have been many accomplishments to date, such as using the 2021-2030 WMP to guide and support our DEI efforts; using local data to learn more about the audiences CRWD serves; reducing barriers to the participation in the Partner Grant program by offering workshop sessions and extending deadlines; expanding outreach and promotion of the Stewardship Grant program; organizing a DEI Watershed Workgroup for sharing diversity and inclusion resources; and more.

Some of the next steps of the plan include continuing to find ways to capture data about audience participation; implementing strategies for reaching underserved communities; revisiting the existing outreach strategies listed in the Watershed Management Plan; and more.

Manager Collins commented that one way to increase our impact is to ask contractors to ask their own subcontractors how they are demonstrating DEI efforts. Manager Mazanec commented that it is very important where the District allocates its resources and efforts; he asked whether a study, such as the Swede Hollow feasibility study, would qualify for where staff decides to put resources based on DEI plans. Administrator Doneux responded that there are so many projects the District does that have a diversity element. Staff are continuing to investigate how we implement DEI efforts and how to measure this work.

## B) Swede Hollow Creek Enhancement Feasibility Study (Zwonitzer)

Nate Zwonitzer introduced Rebecca Carlson, owner of Resilience Resources, LLC, to present the draft findings of the Swede Hollow Creek Enhancement Feasibility Study. The goals of the study include increasing consistent water flow in the upper reaches of the creek, protecting the water quality and stability of the creek, and evaluating opportunities to connect Swede Hollow to the Phalen Creek daylighting efforts upstream.

Ms. Carlson presented multiple options, but the most feasible option that best aligns with stakeholder goals includes a recirculation pump from the lower pond of Swede Hollow to the headwaters, closing the existing storm sewer diversion to reduce trash and sediment entering the park, and a proposed alignment of a surface water feature along the Bruce Vento trail corridor connecting Eastside Heritage Park (downstream reach of proposed Phalen Creek daylighting) to Swede Hollow Park. No implementation activities are currently planned, and conversations are ongoing regarding the selection of an alternative(s), timing, funding, and additional CRWD involvement. The Board thanked Ms. Carlson for her work and presentation.

**Motion 23-044:** *Accept the Swede Hollow Creek Enhancement Feasibility Study pending final revisions.*

Mazanec/Sanders  
Unanimously Approved

## V. Action Items

### A) Approve Minutes of the March 15, 2023, Workshop and Regular Board Meeting (Doneux)

There were a few corrections to be made to the minutes.

**Motion 23-045:** *Approve as amended the Minutes of the March 15, 2023, Regular Board Meeting.*

Mazanec/Sanders

Unanimously Approved

**B) Approve Partial Accounts Payable/Receivable for March 2023 (Dalit)**

Accounts payable is paid monthly. There are a few times each calendar year when the timing between meetings exceeds the 35-day approval as required by the State. The Board reviewed a partial check register for March 2023 for \$392,868.58. The remaining March accounts payable and the budget report will be presented at the April 19th Board Meeting.

**Motion 23-046:** *Approve a partial March 2023 Accounts Payable and direct Board Treasurer and President to endorse and disperse checks for these payments.*

Mazanec/Sanders  
Unanimously Approved

**C) Approve the 2023 Budget Amendment (Doneux)**

Staff are recommending an amendment to the 2023 Budget to adjust the 2023 Thomas Building Capital Maintenance budget (Fund #475-22955) from \$700,000 to \$862,177 to account for final pricing on Phase 3 improvements, which include mechanical/plumbing and restrooms for the building.

While we are in the process of amending the 2023 Budget, an update to the Fund Balance has also been included. This update reflects the actual 2022 Year End Capital Improvement Program (CIP) Fund Balance that was updated as part of the 2022 financial audit. The adopted 2022 Year End (CIP) Fund Balance of \$5,560,119 has increased to \$7,529,003. Accordingly, the beginning CIP fund balance (January 1, 2023) has been updated to \$7,529,003. Adjusting January 1, 2023, CIP Fund Balance to \$7,529,003 reflects a \$1,968,884 increase which was primarily caused by lower CIP Expenditures in 2022. Additionally, the estimated 2023 Year End CIP Fund Balance has also been adjusted from the budgeted amount of \$2,727,156 to \$4,533,863. This increase of \$1,806,707 also reflects the increase in expenditures for the Thomas Building.

**Motion 23-047:** *Amend the 2023 Budget to reflect Thomas Building Capital Maintenance adjustments.*

Mazanec/Sanders  
Unanimously Approved

**D) Approve Contract Amendment with JE Dunn for Thomas Building Improvements (Kelley)**

In December 2022, JE Dunn provided budget-level pricing for Phase III work based on preliminary design drawings. This provided rough order of magnitude costs for the purpose of the 2023 budget. Budget-level pricing came in at \$636,000. Staff recommended \$700,000 for the 2023 CRWD Thomas Building budget. Updated plan sheets were provided to JE Dunn on March 21st, 2023, to obtain detailed pricing from subcontractors for an amended GMP. On March 29, 2023, JE Dunn provided pricing for Phase III work with a dollar amount not to exceed \$746,597.

Changes made to the preliminary plans from December that affected the pricing include water supply lines to four exterior hose bibs and one inside the lower garage bay; protective bollards at low windows on the west building façade; rainwater cistern near the SW corner of the loading dock; new exterior light pole for parking lot; and reconfigured bathrooms to accommodate an accessible shower.

Staff proposes amending the CMAR Agreement to add the cost for Phase 3 Improvements (\$746,597) and adjust the GMP from \$1,962,885 to \$2,709,482.

**Motion 23-048:** *Approve contract amendment #2 to adjust the guaranteed maximum price to \$2,709,482 for Construction Manager Services with JE Dunn to complete Phase III of the Thomas Building Capital Maintenance Project and authorize the Administrator to execute change orders and owner-requested work orders consistent with overall project plans.*

Mazanec/Sanders  
Unanimously Approved

**E) Approve Monetary Limits of Municipal Tort Liability (Doneux)**

In a review of our insurance coverage, it was determined that we must again determine if we are going to waive our tort liability limits. Staff met with Collin Hardman from North Risk Partners, the District's insurance agent. Mr. Hardman reviewed the options regarding whether or not to waive tort liability limits, as the District has done in the past. Staff recommends that the District not waive the monetary limits on municipal tort liability. The District will continue to purchase an insurance rider for accident coverage for volunteers.

**Motion 23-049:** *Accept the LMCIT liability coverage and NOT Waive the Monetary Limits on municipal tort liability.*

Mazanec/Sanders  
Unanimously Approved

**F) Authorize Clean Water Fund Grant Agreement for McMurray Field (Doneux)**

During the last couple of years, CRWD and City staff have worked with Houston Engineering, Inc. to complete an updated feasibility study and preliminary cost-benefit analysis for the site. The study was completed in 2022 and was the basis of a successful Clean Water Fund grant application in the amount of \$950,000 that was approved in December. Staff has worked with Board of Water and Soil Resource (BWSR) staff to complete an approved work plan for the project. The work plan is required prior to executing the grant agreement with BWSR. The agreement has been reviewed by Attorney Mogen. Staff are requesting authorization to execute the grant agreement.

**Motion 23-050:** *Authorize Administrator to execute a Clean Water Fund grant agreement with BWSR for an amount of \$950,000 for the McMurray Field Project.*

Mazanec/Sanders  
Unanimously Approved

**VI. Unfinished Business**

**A) BMP Database Update (Zwonitzer)**

Nate Zwonitzer provided an update on the BMP Database. The database has been extremely helpful in streamlining procedures and processes related to the District's permitting and grant programs. The program is web-based and has greatly benefited staff and created efficiencies for automated processes. In addition to being a single, easily accessible source for storing data, it streamlines applications, makes project inspections easier, automates workflow, and aids in analyzing and reporting results.

**VII. General Information**

**A) Board of Managers' Updates**

Manager Texer sent an email to the staff and board with a link to fill out an annual evaluation of Administrator Doneux. The deadline for the Board has been extended to Friday, April 14<sup>th</sup>.

**B) Administrator's Update**

Staff are having an exit meeting with Redpath auditors next Thursday, April 13<sup>th</sup>.

Staff are planning a tour for CAC on Wednesday, June 14<sup>th</sup> at 5:30 PM. We will be reviewing an itinerary with the CAC at their meeting next week. Administrator Doneux invited the board to attend if they are interested and available.

**VIII. Next Meetings**

- A) Wednesday, April 12, 2023, 7:00 PM – CAC Meeting (in person). Mary Texer will attend.
- B) Wednesday, April 19, 2023, 7:00 PM – Board Meeting

**IX. Adjournment**

**Motion 23-051:** *Adjournment of April 5, 2023, Regular Board Meeting at 7:42 P.M*

Respectfully submitted,

Meilina Dalit