



Capitol Region Watershed District

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June 7, 2023
Board Meeting
APPROVED

Board Meeting of the Capitol Region Watershed District (CRWD) Board of Managers, for **Wednesday, May 17, 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 to get additional CRWD COVID-19 information.

MEETING MINUTES

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

Managers

Joe Collins
Hawona Sullivan Janzen, absent w/ notice
Shawn Mazanec
Rick Sanders
Mary Texer

Staff Present

Mark Doneux
Anna Eleria
Forrest Kelley
Elizabeth Hosch

Public Attendees

James Mogen, Ramsey County Attorney
Cheryl Braun, CRWD CAC member

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

Motion 23-068: *Approve the Agenda of May 17, 2023.*

Mazanec/Sanders
Unanimously Approved

II. **Public Comment** – No comments submitted.

III. **Permit Applications and Program Updates**

A) 14-020, Primrose School – Closure (Hosch)

Elizabeth Hosch reviewed permit #14-020, Primrose School, which was issued for the construction of a new preschool building with parking and playground at Dayton and Saratoga in St. Paul. Stormwater is treated through filtration in the permeable paver and under the artificial turf playground. Work is complete, stormwater treatment practices have been confirmed functional, and the site is stable. A surety in the amount of \$2,860 was collected for this project.

Motion 23-069: *Approve \$2,860 surety return and Certificate of Completion for permit #14-020, Primrose School.*

Mazanec/Sanders

Unanimously Approved

B) 23-035, North End Community Center – Variance (Hosch)

The City of Saint Paul is proposing a new community center in the North End neighborhood. The variance request is on the rate control requirement. The location of the community center is in a low-lying area that receives off-site runoff. The proposed stormwater management design without the perimeter regional stormwater pipes will meet rate control for runoff generated by the site only and the other CRWD Rule requirements. Requiring the applicant to meet rate control for offsite runoff would be an undue hardship. Manager Texer inquired about what will happen with off-site water running onto the field after the project is completed. Ms. Hosch replied that there will not be significant flooding onto the field and that the building meets freeboard requirements in our Rules. The City will install a pump system to ensure that there is no flooding in the building. Manager Collins asked if we plan to conduct a study in this area like the St. Kate's groundwater study conducted years ago. Administrator Doneux responded that there will be a broader conversation about flooding concerns in this area and beyond amongst multiple partners including Public Works and Ramsey County. Manager Collins suggested that we include this study in the 2024 work plan and budget.

Motion 23-070: *Approve request for a variance from the requirements of Stormwater Rule C.3.b. - Rate Control to increase the maximum runoff rate to 367.4 CFS.*

Mazanec/Sanders
Unanimously approved

C) 22-007, Eastbound Kellogg Boulevard at RiverCenter – Approval Extension (Hosch)

Elizabeth Hosch reviewed permit #22-007, Eastbound Kellogg Boulevard at RiverCentre, which was issued for the replacement of one bridge, construction of a new bridge, and associated grading, retaining walls, bituminous and concrete surfacing, ADA improvements, signals, and lighting. Stormwater management is proposed to be satisfied by BioClean Kraken Filter or approved equal.

Motion 23-071: *Approve extension for permit #22-007, Eastbound Kellogg Boulevard at RiverCentre, with three conditions:*

- 1. Provide approved plans signed by a professional engineer per the Minnesota Board of AELSLAGID.*
- 2. Provide a copy of the NPDES permit.*
- 3. Provide a site-specific maintenance plan that includes items a.-e. in the 5/9/23 permit report.*

Mazanec/Sanders
Unanimously Approved

IV. Special Report – CRWD Stormwater Facility Management Program (Eleria/Kelley)

Anna Eleria and Forrest Kelley provided an update on the CRWD Stormwater Facility Management Program. CRWD and SRF staff have prepared a draft policy for a comprehensive facility management program that includes what was learned in tasks 1-3, which were focused on learning about CRWD and partner staff issues and opportunities and investigating similar efforts by others to share stormwater management responsibilities. The policy also includes initial feedback from the Board and CAC last fall. The policy describes the purpose of a comprehensive facility management program, the three approaches and associated criteria for assisting our partners on a particular project, and a high-level description of the evaluation process.

Staff are currently refining a draft of the complete program report that includes and expands upon the policy, by describing the decision-making process, needs assessment, project evaluation and determination, and

phased implementation timeline for each category. Staff are also conducting a case study by applying the program policy, criteria, and evaluation process to Gottfried's Pit and Como Golf Course ponds owned by Ramsey County. Staff plan to bring the complete draft report to the Board at the second meeting in June.

Manager Texer asked which category Willow Reserve would be assigned to. Ms. Eleria responded that it would qualify for Approach #3 because it's a regional system that is directly connected to CRWD's Trout Brook Interceptor.

Manager Collins sought clarification on ownership and the definition of stormwater facilities. Ms. Eleria responded that CRWD ownership would be for the BMP only and not the overlying or underlying land and a stormwater facility has to provide water quality and/or flood control benefits. It cannot be for conveyance only (e.g. pipes and catch basins). Manager Collins asked the reason for potentially contributing up to 50% of the annual routine maintenance costs for regional stormwater facilities. Ms. Eleria stated that partners have not been maintaining these facilities adequately and we are attempting to address one of the primary challenges. Manager Collins then asked what the plans in the early years of the program are. Staff proposes to offer pooled maintenance services for rain gardens and once that pooled service is established, stormwater ponds could be next. He also asked if we expect to spend \$2M every two years or if the \$2M estimate is just for the first years. Mr. Kelley responded that \$2M is likely not the cost every two years. This high estimate in the first two years is likely for more significant maintenance work due to deferred maintenance. Manager Collins expressed that he likes pooled BMP maintenance services and would support CRWD offering assistance to Ramsey County on the Como subwatershed facilities.

Manager Texer asked if CRWD's partners are aware that we are developing this program and are they supportive of the effort. Ms. Eleria responded that our partners are aware of the project. We engaged our partners last fall with a survey and in-person meetings to receive their input. They are not aware of the details of our approaches. This will be shared with them in the coming months. Manager Sanders expressed his support for the program, especially for projects that involve many entities. He also stated it's important for CRWD to be aware of the conditions of stormwater facilities in that we've had past involvement.

Manager Mazanec expressed concerns about the City's limited funds for stormwater facility maintenance and asked if CRWD would likely be stuck with the work if they have budget cuts. He stated that this work must stay within watershed district mandates. He also expressed concerns that this program may impact future DEI work. He asked if we will be maintaining BMPs primarily outside of our geographic focus areas. Ms. Eleria responded that DEI is a criterion for selecting BMPs to maintain, however, we could consider putting more scoring weight on this criterion. The last question from Manager Mazanec was about contracting versus CRWD staff conducting the maintenance work. Ms. Eleria stated that at least in the first few years we do not anticipate maintaining facilities in-house because it will take time to ramp up staffing and we need to begin the pilot project for pooled raingarden maintenance services in the fall. Also, we need to have a better sense of partner level of interest (the number of projects) and the level of effort in maintenance assistance in the first few years, which could help us determine if it makes sense to conduct some inspection and maintenance activities in-house.

CAC Member Braun stated that she thought the plan is well thought out and inquired when the CAC may see this work. Ms. Eleria stated that we plan to bring it to the CAC after the Board reviews the full draft report, which is anticipated in July.

V. Action Items

- A)** Approve Minutes of May 3, 2023, Regular Board Meeting (Dalit)

Manager Mazanec submitted one correction to staff prior to the meeting. There were no other corrections to the minutes.

Motion 23-072: *Approve the minutes as amended of the May 17, 2023, Regular Board Meeting.*

Mazanec/Sanders
Unanimously Approved

B) Approve Accounts Payable/Receivable for April 2023 (Dalit)

Motion 23-073: *Approve April 2023 Accounts Payable/Receivable and 2023 Year-to-Date Financial Report and direct Board Treasurer and President to endorse and disperse checks for these payments.*

Mazanec/Sanders
Unanimously Approved

C) Order Construction for TBI Sediment Removal Project (Eleria)

In late summer 2022, CRWD Board of Managers approved an engineering work order for Barr Engineering to design and administer bidding of repairs in its Trout Brook Interceptor (TBI) from Station 135+06 to 180+29. During the pre-design inspection last November, a significant amount of sediment (up to a foot in depth) was discovered in an approximately 700-foot stretch of TBI that did not allow for a complete inspection of the invert. This section also has a higher incidence of defects above the invert.

With Board approval earlier this year, Barr designed a set of plans for sediment removal to allow for unobstructed inspection of the invert and a better understanding of the breadth and scope of defects in the invert to inform the design of necessary repairs in this section. The engineer's estimate for sediment removal was \$123,000. CRWD conducted a two-week bidding period and received bids from three contractors: Engineering & Construction Innovations, Inc. (\$127,900 bid), PCiRoads, LLC (\$149,000 bid), and Minger Construction Companies, Inc. (\$231,700 bid). Engineering & Construction Innovations, Inc. submitted the lowest bid and staff have verified their responsiveness and qualifications for this project.

Manager Texer inquired if we expect the contractor to start the project no later than May 22, 2023, as stated in the agreement, which is five days from the meeting. Ms. Eleria responded that she will reach out to Barr Engineering to determine if that start date is realistic or if we need to modify the agreement.

Motion 23-074: *Order construction of the TBI Repairs Sediment Removal Project at St. 178+00 to 185+00; Authorize the Board President and Administrator to execute a Notice of Award and Agreement with Engineering & Construction Innovations, Inc.; and Authorize the Administrator to execute change orders in an amount not to exceed \$30,000.*

Mazanec/Sanders
Unanimously Approved

VI. Unfinished Business

A) Como Lake Aquatic Plant Management (Belden)

Administrator Doneux provided the Como Lake Aquatic Plant Management Update. He noted that the District is still working with the contractor to achieve our contracting requirements. If the project does not go forward in 2023 it will be considered again in 2024.

B) Interim Office Use Guidelines for External Groups (Eleria)

CRWD's office is open to the public during business hours from 8:00 am – 4:30 pm, Monday through Friday as well as evenings and weekends for CRWD meetings and events. The public-facing side of the office, Mississippi River Room, and Trout Brook Flex Space has also been available for use by our government partners, non-profit organizations, community groups, and other partners when the office is open and staff are available to support the users. Requests for usage typically are made by directly reaching out to staff or through a website inquiry.

Given the increase in requests for office usage from external groups since the start of the year, CRWD staff have prepared a draft of interim office use guidelines. The purpose of the guidelines is to outline the terms of usage for interested groups and help staff respond to requests and inquiries about office usage.

Manager Texer suggested that we ban guns at the office and add it to the interim facility use guidelines. Manager Collins asked if they should adopt a resolution banning guns from CRWD. Attorney Mogen stated that CRWD would be required to post a sign banning guns from the office.

VII. General Information

A) Board of Managers' Updates

Last weekend, Manager Sanders attended the Community in Bloom event and Manager Collins attended the Orchard Park Recreation Center cleanup. Both Managers had conversations with residents who are familiar with CRWD.

B) Administrator's Update

No update.

C) Annual Performance Review of District Administrator

The Board of Managers moved to a closed session to evaluate the performance of District Administrator Mark Doneux.

D) Approval of Annual Performance Review of Administrator

Motion 23-075: *Approve the Annual Performance review of Administrator Mark Doneux.*

VIII. Next Meetings

- A) Wednesday, June 7, 2023, 6:00 PM – Board Meeting
- B) Wednesday, June 14, 2023, 5:15 PM – CAC Tour (Bus will leave CRWD office at 5:30PM)
- C) Wednesday, June 21, 2023 – MN Watersheds Summer Tour

IX. Adjournment

Motion 23-076: *Adjournment of May 17, 2023, Regular Board Meeting at 7:55 P.M.*

Respectfully submitted,

Anna Eleria