

**Technical Advisory Committee
MINUTES | April 13, 2023**

A meeting of the Technical Advisory Committee (TAC) of the Shingle Creek and West Mississippi Watershed Management Commissions was called to order by Vice Chair Mark Ray at 11:00 a.m., Thursday, April 13, 2023, at the Plymouth Community Center, 14800 34th Avenue North, Plymouth, MN.

Present: James Soltis, Brooklyn Center; Mitchell Robinson, Brooklyn Park; Heather Nelson, Champlin; Mark Ray and Ben Perkey, Crystal; Derek Asche, Maple Grove; Katie Kowalczyk, Minneapolis; Nick Macklem, New Hope; Amy Riegel, Plymouth; Mike Sorensen, Robbinsdale; Diane Spector, Todd Shoemaker, Katie Kemmitt, and Kurt Krautmann, Stantec; and Judie Anderson, JASS.

Not represented: Osseo.

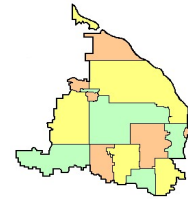
Also present: Burt Orred, Jr., Crystal, Andy Polzin, Plymouth; and Maureen Hoffman, Metropolitan Council.

- I. Motion by Asche, second by Riegel to **approve the agenda**.* *Motion carried unanimously.*
- II. Motion by Sorensen, second by Riegel to **approve the minutes*** of the February 9, 2023, meeting. *Motion carried unanimously.* [Ray noted that the Minutes included extensive verbiage regarding the Highway 252/I-94 Scoping Document, which did not occur at the meeting. Anderson responded that she includes in the Minutes relevant information from documents included in the meeting packet, regardless of whether that information is discussed during the meeting.]
- III. **Cost Share Cap**.* During the Fourth Generation Plan 60-day review comment period, the Commissions received a comment from the City of Minneapolis wondering if the \$50,000 cap on the Commissions' share of small city projects could be considered for increase.

Both WMOs established City Cost Share Programs in 2013 as part of the Third Generation Plan. Each was to be funded with an annual \$50,000 levy. In 2015 Shingle Creek increased that annual levy to \$100,000, with a cap of \$50,000 per project. Since 2014 Shingle Creek has shared in the cost of 12 small projects, totaling just over \$405,000 from levy and \$68,000 from Watershed-based Implementation Funding (WBIF). West Mississippi has not funded any cost-share projects from levy but contributed \$35,442 from WBIF to a project in Brooklyn Park.

Half of the funded projects received the maximum cost share of \$50,000. In most cases, the total cost of the BMP exceeded \$100,000, so the cities' share was more than \$50,000. The Commissions do encourage cities to submit projects greater than \$100,000 to the CIP, but one of the advantages of the Cost Share program is that it is much nimbler than the CIP. Sometimes the ability to incorporate a voluntary BMP isn't evident or can't be determined if it is feasible until well into the design process.

In addition, there is a "penalty range" for small projects on the CIP. The CIP funding policy limits the Commissions' cost share to 25% of the total project cost. For projects that cost between \$100,000 and \$200,000, it is more financially advantageous to pursue Cost Share funding rather than CIP funding. A



\$160,000 project would be limited to \$40,000 Commission funding on the CIP, but eligible for \$50,000 funding from the Cost Share program.

While the Shingle Creek Commission has been funding one or two projects per year, it has continued to levy \$100,000 annually and has accumulated a balance estimated at \$350,000. West Mississippi continues to levy \$50,000 per year and has accumulated a similar balance.

If there is still a desire to operate such a city cost-share program, there is enough balance to support increasing the participation cap from \$50,000 to some larger amount, at a minimum to accommodate cost increases since 2013 when the programs were established. This is offered today for discussion and direction. The program guidelines were included in Staff's April 6, 2023, memo.

It was a consensus that projects costing \$200,000 or more should be added to the CIP. Motion by Ray, second by Macklem to recommend to the Commissions to increase the cost share cap to \$100,000 and to revisit the cap annually. *Motion carried unanimously.*

IV. 2023 Preliminary CIP.* The Commissions each revised their Capital Improvement Programs (CIP) as part of the Fourth Generation Watershed Management Plan. The Shingle Creek CIP includes four stream projects, five lake projects, four stormwater BMPs, as well as the city and partnership cost share programs and the Maintenance Fund. Total project costs from 2023-2028 are \$1,995,000, \$2,068,000, \$6,450,000, \$924,000, \$650,000, and \$3,405,000, respectively. The Commission's shares are \$1,555,000, \$1,432,000, \$550,000, \$343,500, \$500,000, and \$2,013,800, respectively.

The West Mississippi total project costs for the same period are \$480,000, \$300,000, \$300,000, \$300,000, \$300,000, and \$1,500,000. The Commission's shares are \$195,000, \$150,000, \$150,000, \$150,000, \$150,000, and \$750,000, respectively. The projects include one rain garden and the city and partnership cost share programs.

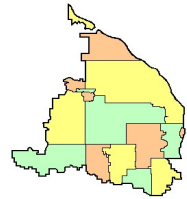
Members are asked to review the CIP and amend it as necessary to add, delete, or revise projects as opportunities arise, priorities change, or costs are re-evaluated. The Commissions can move projects between years, delete a project, or update the cost estimates without needing to undergo the plan amendment process. However, if the updated cost of any project increases more than 25%, or if a City requests adding a new project to the CIP, a Minor Plan Amendment will be required.

That process requires notifying various agencies and the member cities of the proposed amendment, allowing them 30 days to comment, and then considering and adopting the amendment at the following public meeting. If any proposed revisions are requested, the Commissions would, at their May meeting, initiate the Minor Plan Amendment and consider adopting the amended CIP at their June meeting. For projects to be ordered in 2023 for levies in 2024, a public hearing would be called in August and held in September.

It was suggested to recommend to the Shingle Creek Commission to levy half of the Brooklyn Park Natural Channel project in 2023 and the remaining half in 2024. In addition, in Shingle Creek, the Maple Grove Stormwater BMP projects will be re-ordered to better match their anticipated construction dates.

V. Other Business.

A. DLI Interpretation. Stantec staff recently learned of a new interpretation of the plumbing code by the Minnesota Department of Labor and Industry (*DLI, Attachment A, Notice of Final Interpretation*). This interpretation allows DLI to regulate storm sewer design in communities where plumbing plan review



agreements are not in place (*DLI, Attachment B, Municipalities authorized to perform plumbing plan review in lieu of a review by the DLI*). The interpretation will likely impact public and private projects statewide.

B. The **next TAC meeting** is scheduled for Thursday, May 11, 2023.

There being no further business, the TAC meeting was adjourned at 11:58 a.m.

Respectfully submitted,

A handwritten signature in black ink that reads "Judie A. Anderson".

Judie A. Anderson
Recording Secretary
JAA:tim

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