

REQUEST FOR COUNCIL ACTION

Date: 3/26/12
Item No.: 12.a

Department Approval



City Manager Approval



Item Description: Adopt a Resolution Ratifying the Dissolution of the Grass Lake Water Management Organization and Petitioning the Board of Water and Soil Resources for a Change of Watershed Boundary

BACKGROUND

The City Council adopted a resolution at its January 23, 2012 meeting petitioning the Grass Lake Water Management Organization Board to dissolve the organization. Shoreview adopted a similar resolution in early February. The petition was received by the board at their February 2012 meeting. The Board voted to give 30 day notice to the cities per the joint powers agreement that the Board would be voting on the dissolution request at their March board meeting. That meeting is scheduled for March 22, 2012. We anticipate the Board will concur with the city's request.

Staff has discussed the process for redrawing watershed boundaries with staff from the State Board of Water and Soil Resources as outlined in state statute. They have also had conversations with Ramsey-Washington Metro Watershed District staff regarding the possible expansion of their boundaries. RWMWD staff indicated there would be minimal activity in the Grass Lake areas of the watershed under redrawn boundaries until they are able to collect ad valorem taxes from the expanded area. They felt it would not be fair to their current constituents to expend resources collected from them in the Grass Lake area. This means it would be prudent in order to not have a significant gap in resource protection to meet a schedule to allow for the Grass Lake area to be certified to the State Auditor as a part of RWMWD before June 30th of this year to meet 2013 taxing authority for the District. This will require timely actions by various jurisdictions as follows:

March 22, 2012 GLWMO Board vote to dissolve as of June 21, 2012

March 26, 2012 Roseville City Council ratifies dissolution per JPA

March 26, 2012 Roseville City Council petitions BWSR for change of Watershed district boundaries to become a part of Ramsey-Washington Metro Watershed District

April 2, 2012 Shoreview City Council takes same two actions as Roseville did on March 26.

April-BWSR Board meeting to consider petition and order public hearing with required 30 day notice

May-BWSR public hearing on change of watershed district boundary

June-BWSR Board meeting to take action on change of boundary effective June 30,2012.

Staff has worked with the City Attorney, the City of Shoreview, and BWSR staff drafting the necessary resolution and the required petition to the State Board of Water and Soil Resources. They are included as attachments to this action.

POLICY OBJECTIVE

The City Comprehensive Plan and Comprehensive Surface Water Management Plans support environmental stewardship and compliance watershed organizations and water quality regulatory goals. The city is obligated to comply with state and federal water regulations. The city supports watershed management in the most effective and efficient means.

BUDGET IMPLICATIONS

The City of Roseville currently funds 50% of the Grass Lake WMO budget through its Storm Utility Fund which is fee supported across the entire city. When the organization is dissolved the watershed management function is proposed to be merged into the Ramsey-Washington Metro Watershed District through action by the State Board of Water and Soil Resources. RWMWD has its own taxing authority for properties within their jurisdiction.

STAFF RECOMMENDATION

Staff recommends that the City Council adopt the attached resolution ratifying the dissolution of the Grass Lake Water Management Organization effective June 21, 2012 and petitioning the State of Minnesota Board of Water and Soil Resources for a change in watershed district boundary. The petition will request the formerly Grass Lake WMO portion of the city become a part of Ramsey-Washington Metro Watershed District. RWMWD has an excellent reputation for water resource protection and has demonstrated success in improving water quality in urban environments. Staff believes this is in the best long term interests of the city and for the protection of the water resources.

REQUESTED COUNCIL ACTION

Motion to adopt a resolution ratifying the dissolution of the Grass Lake Water Management Organization and petitioning the State Board of Water and Soil Resources for a change of watershed boundary.

Prepared by: Duane Schwartz, Public Works Director
Attachments: A. Resolution
B. Petition

1 **EXTRACT OF MINUTES OF MEETING**
2 **OF THE**
3 **CITY COUNCIL OF THE CITY OF ROSEVILLE**

4
5 * * * * *

6
7 Pursuant to due call and notice thereof, a regular meeting of the City Council of the City
8 of Roseville, County of Ramsey, Minnesota, was duly held on the 26th day of March,
9 2012, at 6:00 p.m.

10
11 The following members were present: and the following members were
12 absent: .

13
14 Councilmember introduced the following resolution and moved its adoption:

15
16 **RESOLUTION NO.**

17
18 **RESOLUTION RATIFYING THE DISSOLUTION OF THE GRASS LAKE**
19 **WATERSHED MANAGEMENT ORGANIZATION AND PETITIONING THE**
20 **BOARD OF SOIL AND WATER RESOURCES FOR A CHANGE OF**
21 **WATERSHED BOUNDARY**

22
23
24 WHEREAS, the City of Roseville and the City of Shoreview organized a water management
25 organization through a Joint Powers Agreement in 1983 known as the Grass Lake Water
26 Management Organization for the management of joint watershed resources pursuant to state
27 statute;

28
29 AND WHEREAS, Watershed management and regulation have changed significantly in the
30 30 years since the agreement that created the Grass Lake Water Management Organization
31 was executed;

32
33 AND WHEREAS, The Cities of Roseville and Shoreview have adopted resolutions
34 petitioning the Grass Lake WMO to dissolve as an organization;

35
36 AND WHEREAS, The cities believe there are existing adjacent watershed organizations that
37 have the necessary expertise and resources to protect the watershed natural resources in an
38 effective and efficient manner;

39
40 AND WHEREAS, The Grass Lake WMO board voted in the affirmative on March 22, 2012
41 to dissolve effective June 21, 2012;

42
43 BE IT RESOLVED, that the City of Roseville hereby ratifies the dissolution of the Grass
44 Lake Water Management Organization pursuant to Section VI and Section VII of the current
45 joint powers agreement and state statute requirements; and

46

47 BE IT RESOLVED, that the City Council of the City of Roseville hereby petitions the State
48 of Minnesota Board of Water and Soil Resources, pursuant to Chapter 103d of State Statute,
49 for a change of watershed boundary for that portion of the city, formerly a part of the Grass
50 Lake WMO, to be included in the Ramsey-Washington Metro Watershed District, and

51

52 The motion for the adoption of the foregoing resolution was duly seconded by
53 Councilmember and upon vote being taken thereon, the following
54 voted in favor thereof: and the following voted against the same: .

55

56 WHEREUPON said resolution was declared duly passed and adopted.

GLWMO Dissolution

STATE OF MINNESOTA)
) ss
 COUNTY OF RAMSEY)

I, the undersigned, being the duly qualified City Manager of the City of Roseville, County of Ramsey, State of Minnesota, do hereby certify that I have carefully compared the attached and foregoing extract of minutes of a regular meeting of said City Council held on the 26th day of March, 2012 with the original thereof on file in my office.

WITNESS MY HAND officially as such Manager this 26th day of March, 2012.

William J. Malinen, City Manager

(Seal)

**STATE OF MINNESOTA
BOARD OF WATER AND SOIL RESOURCES**

**PETITION OF THE CITIES OF ROSEVILLE AND SHOREVIEW
FOR AN ORDER TO ENLARGE THE BOUNDARY OF
THE RAMSEY-WASHINGTON METRO WATERSHED DISTRICT TO
INCLUDE SPECIFIED AREAS OF THE PETITIONING CITIES
FORMERLY IN THE GRASS LAKE WATERSHED MANAGEMENT
ORGANIZATION**

Request	The Cities of Roseville and Shoreview are petitioning the Minnesota Board of Water and Soil Resources to enlarge the Boundary of the Ramsey-Washington Metro Watershed District to include those lands and properties east and south of the Rice Creek Watershed District that were formerly within the Grass Lake Watershed Management Organization. The area involves approximately 5,648 acres within the following cities:	
	City	Acres
	Roseville	2359
	Shoreview	3289
		5648

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14

Reasons for Change	Watershed management and regulation have changed significantly in the nearly 30 years since the agreement that created the Grass Lake Water Management Organization was executed. Significantly more financial and staff resources are necessary to carry out the functions of a watershed organization to be successful today. Cities are challenged with competing priorities for their scarce resources. The cities believe there are existing adjacent watershed organizations that have the necessary expertise and resources to protect the watershed natural resources in an effective and efficient manner. The cities believe the water resources are better protected by combining the Grass Lake WMO areas into an organization with demonstrated success in improving and protecting the resource.
Termination of GLWMO	The dissolution of the Grass Lake Watershed Management Organization (GLWMO) on June 21, 2012.
Nature of the Change	Transfer 5,647.25 acres from the former Grass Lake Watershed Management Organization legal boundaries to the Ramsey-Washington Metro Watershed District. The new boundary is proposed to be contiguous with the existing Rice Creek Watershed District boundary
Location	Figure 1: Ramsey-Washington Metro Watershed District and Grass Lake Watershed Management Organization Location Map

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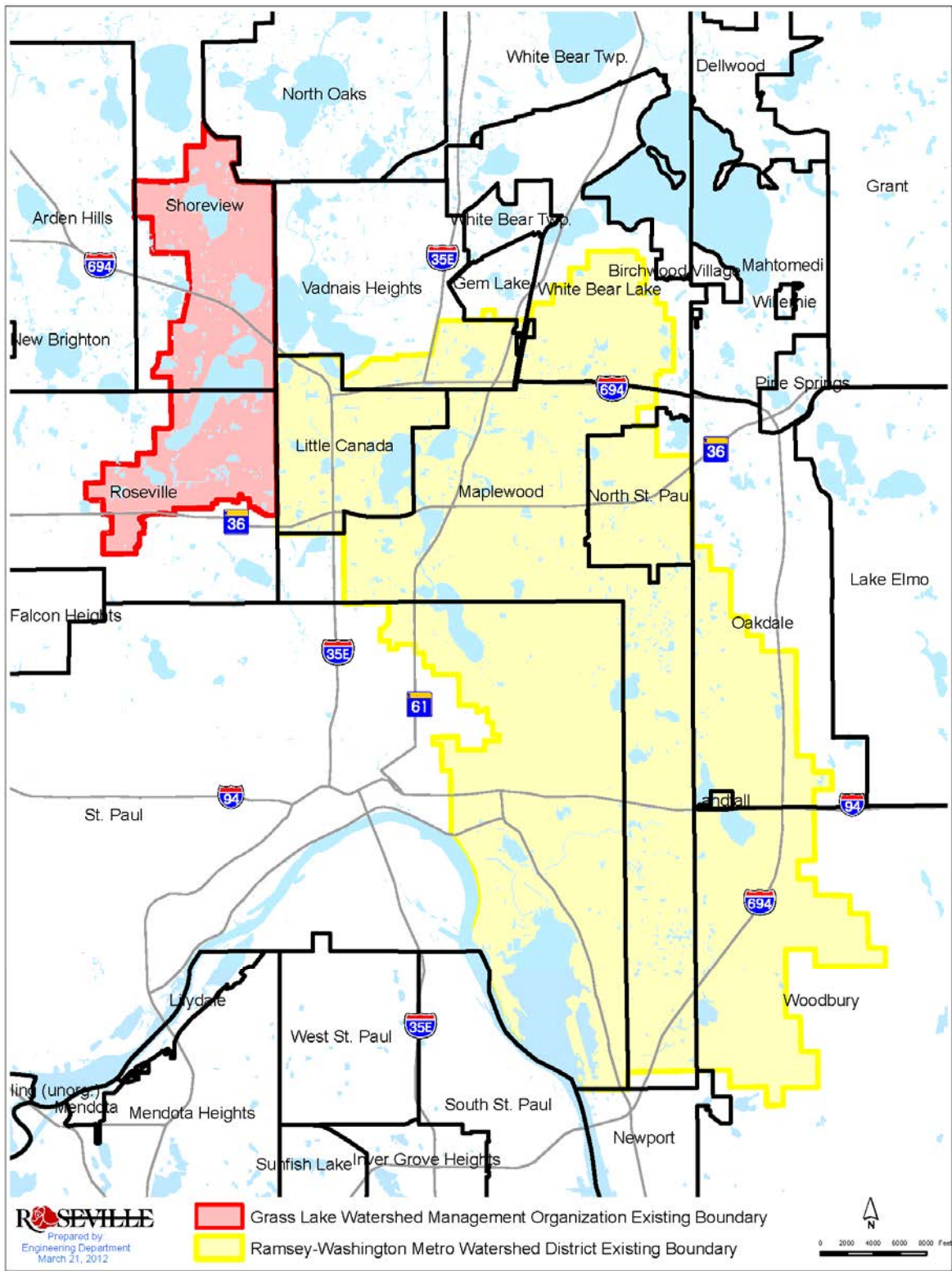


Figure 1

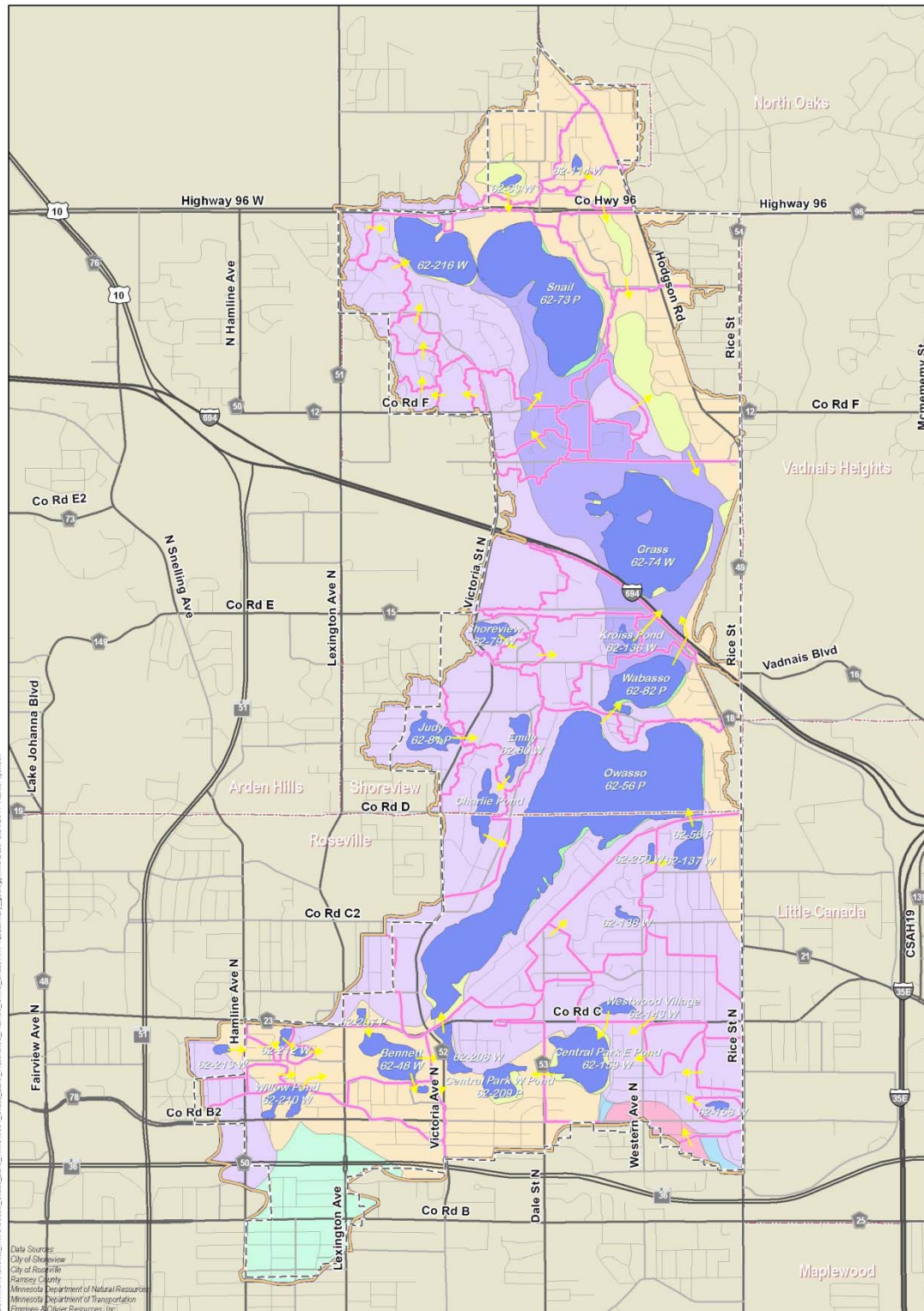
Background and Record of Actions

2010	The Grass Lake WMO began an update of their Watershed Management Plan
2011	
	Through agency review of the GLWMO draft Plan the BWSR responds that the Joint Powers Agreement for GLWMO needs revision regarding the cities level of control over the GLWMO budget.
June	GLWMO Board makes presentation to the city councils regarding the need for revisions to the joint powers agreements and the plan update. The Board requested significantly more financial resources from the cities to fund WMO activities and future capital improvements in the draft plan.
October	The GLWMO convened a task force to discuss future governance of the GLWMO
November	The GLWMO Board presented the governance findings of the Task Force to the Roseville City Council. Recommendation to continue as a WMO with greater financial resources required. Board was not unanimous with a minority recommending merger with an adjacent watershed organization
December	The GLWMO Board presented the governance findings of the Task Force to the Shoreview City Council. Recommendation to continue as a WMO with greater financial resources required. Board was not unanimous with a minority recommending merger with an adjacent watershed organization
2012	
January 23	The Roseville City Council adopted a resolution rejecting the proposed new joint powers agreement language and petitions the GLWMO Board to dissolve per the current joint powers agreement.
February 6	The Shoreview City Council adopted a resolution rejecting the proposed new joint powers agreement language and petitions the GLWMO Board to dissolve per the current joint powers agreement.
February 16	The GLWMO Board set meeting date for March 22, 2012 to vote on dissolution per the joint powers agreement.
March 22	The GLWMO Board votes to dissolve the organization effective June 21, 2012.
March 26	The Roseville City Council adopts a resolution to ratify the dissolution of the Grass Lake WMO and petition BWSR to change watershed boundary to include the Grass Lake WMO areas in the Ramsey-Washington Metro Watershed District boundary per 103D of state statute.
April 2	The Shoreview City Council adopts a resolution to ratify the dissolution of the Grass Lake WMO and petition BWSR to change watershed boundary to include the Grass Lake WMO areas in the Ramsey-Washington Metro Watershed District boundary per 103D of state statute.

Watershed Boundary Change Process under Minnesota Statutes 103D.251 and 103d.261

Requirement	Minnesota law requires that: All lands within the Seven County Metropolitan area engage in comprehensive water management on a watershed basis. The Grass Lake Watershed Management Organization (WMO) was formed in 1983 through a joint powers agreement between the cities of Roseville and Shoreview.		
Issue	On March 22, 2012 the Grass Lake WMO adopted resolution to dissolve.		
City Actions Terminating Membership in GLWMO	Entity	Resolution of Dissolution	Date Adopted
	Roseville	Petition to dissolve	January 23, 2012
	Shoreview	Petition to dissolve	February 6, 2012
	Copies of resolutions are attached		
Problem	The action leaves: 1. The water and related land resources within the area without watershed based management 2. The cities within the area out of compliance with the law		
Need	The water resources and Cities need to be included in a watershed management organization to be in compliance with the law.		

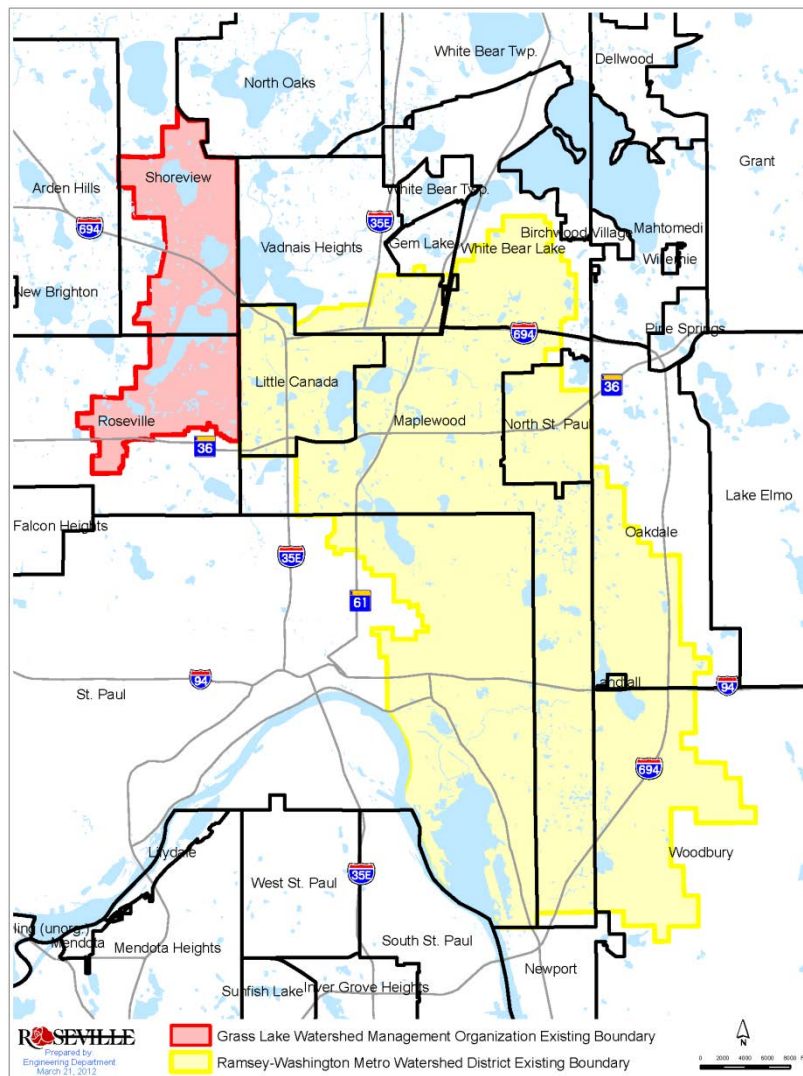
City Actions and Preferences for Inclusion in the Ramsey-Washington Metro Watershed District	The following cities petition the Board of Water and Soil Resources to change the boundaries of the Ramsey-Washington Metro Watershed District to assume Watershed Management responsibilities within the portions of their cities formerly managed by the Grass Lake WMO that are east and south of the Rice Creek Watershed District.		
	City	Resolution of Request	Date Adopted
	Roseville	Adopted	March 26,2012
	Shoreview	Adopted	April 2,2012
Authorization	The Ramsey-Washington Metro Watershed District is wholly within the “metropolitan area” as defined under Minnesota Statutes sections and is a watershed management organizations as defined under Minnesota Statutes 103B.205 (8 & 13)) and 473.121 (2) (2007).		



Description of the Requested Change in the Boundary

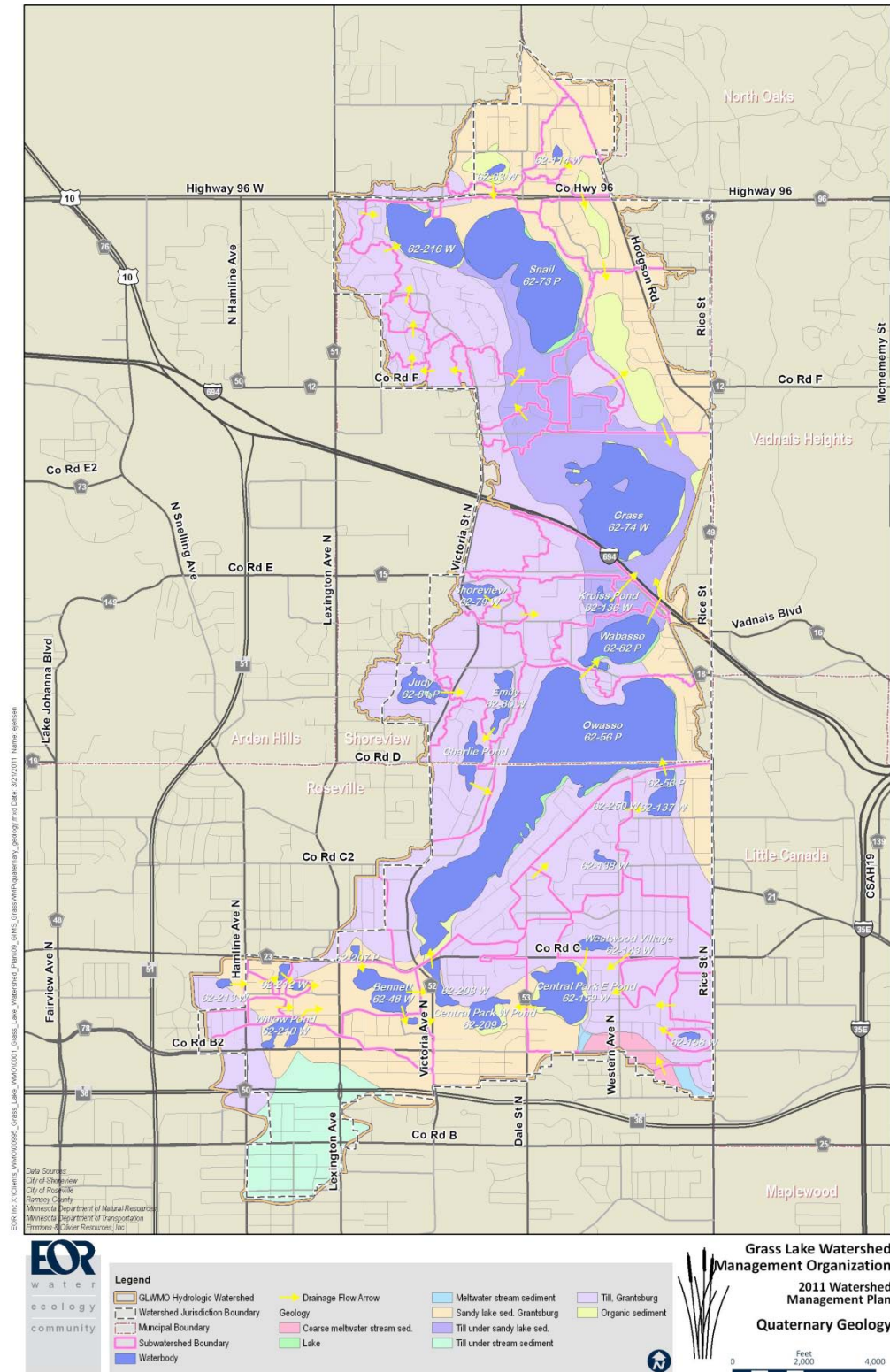
Background	The Cities of Roseville and Shoreview requested that Ramsey-Washington Metro Watershed District assume watershed management responsibilities for the portions of those cities formerly within the Grass Lake WMO and that lie east and south of the existing Rice Creek Watershed District.
Remedy	This will be accomplished by adding 5,648 acres currently within the Grass Lake WMO to Ramsey-Washington Metro Watershed District
	The Grass Lake WMO boundary within the Cities of Roseville and Shoreview is shown below. The map also shows the locations of the current Ramsey-Washington Metro WD boundary.

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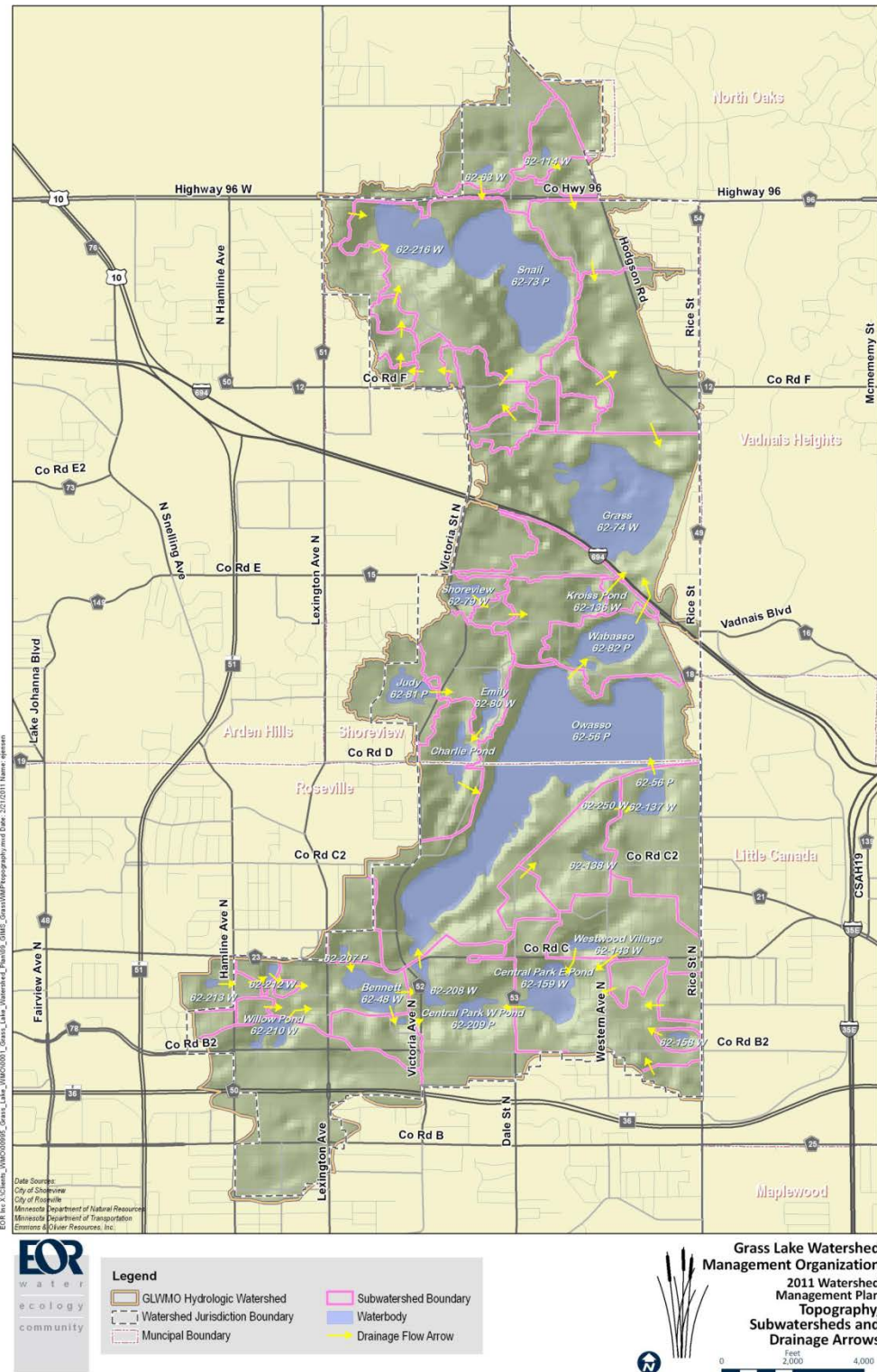


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Geology



Topography



[illegible]

Water Bodies	The water resources within Grass Lake Watershed include Snail Lake, Grass Lake, Wabasso Lake, Lake Owasso, Bennett Lake, Lake Emily, Shoreview Lake and Lake Judy as well as a number of nearby ponds and wetlands. The watershed also includes upland areas and wetlands that interact with climate, soils, vegetation, groundwater and other factors to influence the local water resources.																																						
Land Use	The affected area is currently in the following land uses																																						
	<table><tr><th>Land Use</th><th>Acres</th><th>% Watershed</th></tr><tr><td>Single Family Residential</td><td>2,345</td><td>41.4%</td></tr><tr><td>Multi-Family Residential</td><td>120</td><td>2.1%</td></tr><tr><td>Commercial</td><td>99</td><td>1.7%</td></tr><tr><td>Agricultural</td><td>5.4</td><td>0.1%</td></tr><tr><td>Institutional</td><td>209.4</td><td>3.7%</td></tr><tr><td>Industrial</td><td>79</td><td>1.4%</td></tr><tr><td>Parks and Open Space</td><td>1,633</td><td>28.9%</td></tr><tr><td>Railway</td><td>32</td><td>0.6%</td></tr><tr><td>Roadway</td><td>904</td><td>16%</td></tr><tr><td>Undeveloped</td><td>231</td><td>4.1%</td></tr><tr><td>Total</td><td>5,657.8</td><td>100%</td></tr></table>			Land Use	Acres	% Watershed	Single Family Residential	2,345	41.4%	Multi-Family Residential	120	2.1%	Commercial	99	1.7%	Agricultural	5.4	0.1%	Institutional	209.4	3.7%	Industrial	79	1.4%	Parks and Open Space	1,633	28.9%	Railway	32	0.6%	Roadway	904	16%	Undeveloped	231	4.1%	Total	5,657.8	100%
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Consistency with the purposes and requirements of M.S. 103B.205 to .255 (Metropolitan Surface Water Management Act)

Hydrologic Consistency	Minnesota Statutes section 103B.205 (11) defines “Watershed” as “a drainage area having boundaries which are substantially coterminous with those of an aggregation of contiguous minor watershed units possessing similar drainage patterns and which cross the borders of two or more local government units.”
Subwatersheds Involved	The areas proposed to be added to the Ramsey-Washington Metro Watershed District are found to be lands that entail the subwatersheds of • Snail Lake • Grass Lake • Lake Wabasso • Lake Owasso • Bennett Lake • Lake Emily • Lake Judy • Shoreview Lake
Cities Involved	These subwatersheds involve and cross the City boundaries of • Roseville • Shoreview
Confirmation	These areas are the lands on record with the Grass Lake Water Management Organization. When the GLWMO was established these lands were confirmed through review of municipal stormwater plans and street and road surveys.
Watershed Management Plans	Minnesota Statutes section 103B.205 to 103B.255 generally describes the required data and program elements to comprehensively manage surface water resources within the metropolitan area
Lands Included in RWMWD Third Generation Comprehensive Plan	With the dissolution of the Grass Lake WMO, the inclusion of these within the Ramsey-Washington Metro Watershed District will allow management of these water resources in a uniform manner, consistent with the purposes and requirements of the Metropolitan Surface Water Management Act.
Note on Public Ditches	Incorporating these properties in the Ramsey-Washington Metro Watershed District will not affect the benefits or damages for any improvement previously constructed by the Grass Lake WMO or the cities of Roseville and Shoreview.

Affected Properties

	City	Acres
	Roseville	2359
	Shoreview	3289
		5648
	Entity	Number of Taxable Parcels
	Roseville	3643
	Shoreview	3630
	Total	7273

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29

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31 Date: _____

CITY OF ROSEVILLE

32

By: _____

33

Its Mayor

34

And: _____

35

Its City Manager

36 Date: _____

CITY OF SHOREVIEW

37

By: _____

38

Its Mayor

39

And: _____

40

Its City Administrator