



Dakota County

Physical Development Committee of the Whole

Minutes

Tuesday, May 14, 2024

9:30 AM

Conference Room 3A, Administration
Center, Hastings

(or following General Government and Policy Committee of the Whole)

1. Call To Order And Roll Call

The meeting was called to order at 9:30 a.m. by Commissioner Holberg.

Present

- Commissioner Mike Slavik
- Commissioner Joe Atkins
- Commissioner Laurie Halverson
- Commissioner William Droste
- Commissioner Liz Workman
- Chairperson Mary Liz Holberg
- Commissioner Mary Hamann-Roland

Also in attendance were Matt Smith, County Manager; Tom Donely, First Assistant County Attorney; Georg Fischer, Physical Development Division Director; Liz Hansen, Administrative Coordinator.

The audio recording of this meeting is available upon request.

2. Audience

Commissioner Holberg asked if there was anyone in the audience that wished to address the Physical Development Committee of the Whole on an item not on the agenda or an item on the consent agenda. No one came forward and no comments were submitted to CountyAdmin@co.dakota.mn.us.

3. Approval Of Agenda (Additions/Corrections/Deletions)

3.1 Approval of Agenda (Additions/Corrections/Deletions)

Motion: Mary Hamann-Roland

Second: William Droste

On a motion by Commissioner Hamann-Roland, seconded by Commissioner Droste, the agenda was unanimously approved. The motion carried unanimously.

Ayes: 7

4. Consent Agenda

On a motion by Commissioner Atkins, seconded by Commissioner Halverson, the consent agenda was unanimously approved as follows:

4.1 Approval Of Minutes Of Meeting Held On April 16, 2024

Motion: Joe Atkins

Second: Laurie Halverson

Ayes: 7

4.2 Approval Of Revision To Policy 4020 Property/Facility Use And Security

Motion: Joe Atkins

Second: Laurie Halverson

WHEREAS, the Parks, Facilities, and Fleet Management Department periodically reviews and recommends revisions to policies and procedures in order to maintain and enhance the effective and responsive provision of facilities in the County; and

WHEREAS, staff recommends revisions to Policy 4020 Property/Facility Use & Security to align with Dakota County Ordinance Number 107 Park Ordinance language related to camping and occupancy.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby adopts the proposed revisions to Policy 4020 Property/Facility Use & Security.

This item was approved and recommended for action by the Board of Commissioners on 5/21/2024.

Ayes: 7

4.3 Authorization To Amend 2024 Byllesby Dam Capital Improvement Program To Utilize 2024 Environmental Legacy Fund And Authorization to Execute Second Contract Amendment With The Boldt Company For Construction Manager/General Contractor Services For Phase II Of Byllesby Dam Water-To-Wire Development Project

Motion: Joe Atkins

Second: Laurie Halverson

WHEREAS, by Resolution No. 15-532 (October 20, 2015), the Dakota County Board of Commissioners authorized staff to execute a contract for preliminary design tasks on a turbine upgrade project to replace the existing century-old equipment in the dam; and

WHEREAS, to complete this project, County staff developed a team including an engineering consultant to provide project design, a turbine manufacturer to provide turbine and generation equipment in a complete package (e.g., water-to-wire equipment), and a general contractor for installation of the equipment and modification to the powerhouse structure; and

WHEREAS, due to the complexities in the design, construction, and installation of the water-to-wire facilities, including new turbines and generators to maximize the electric power output of the dam in the future, staff concluded that the

standard low bid methodology of awarding the construction contract was not appropriate and was unlikely to provide the best value to the County; and

WHEREAS, by Resolution No. 18-538 (October 23, 2018), in accordance with the authority granted in Minn. Stat. 130G.535, the County Board approved utilizing a special type of contractor relationship that provides both construction management and general contractor services on the project and allows staff to develop and solicit a request for qualification for services; and

WHEREAS, by Resolution No. 19-773 (October 29, 2019), the Dakota County Board of Commissioners authorized the execution of a contract with The Boldt Company to perform Construction Manager/General Contractor Services related to the redevelopment of the site for the project; and

WHEREAS, by Resolution No. 21-368 (July 20, 2021), the County Board authorized the execution of a contract with The Boldt Company to perform Construction Manager/General Contractor Services for Phase II of the development project; and

WHEREAS, by Resolution No 22-286 (July 19, 2022), the County Board authorized the first amendment to the contract, bringing the total contract value to a not-to-exceed amount of \$22,652,875.42; and

WHEREAS, the current amendment in the amount of \$3,682,626.59 is necessary to cover costs associated with dam safety, electrical and mechanical supporting components, and high voltage interconnection work associated with selling power on the open market to increase dam revenues and reduce the project payback period; and

WHEREAS, staff recommends execution of a second contract amendment with The Boldt Company bringing the total contract amount to \$26,335,502.01.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute a second contract amendment with The Boldt Company to provide Construction Manager/General Contractor services for Phase II of the Byllesby Dam Water-To-Wire Redevelopment Project in the amount not to exceed \$26,335,502.01, subject to the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby amend the 2024 Byllesby Dam Capital Improvement Program Budget as follows:

Revenue	
Environmental Legacy Fund	<u>\$1,550,500</u>
Total Revenue	\$1,550,500

Expense	
Byllesby Dam Upgrade BD00008	<u>\$1,550,500</u>
Total Expense	\$1,550,500

This item was approved and recommended for action by the Board of Commissioners on 5/21/2024.

Ayes: 7

4.4 Authorization To Execute Professional Services Contract With Kodet Architectural Group, Ltd. For Western Service Center Second Floor Redevelopment

Motion: Joe Atkins

Second: Laurie Halverson

WHEREAS, the 2024-2028 Facilities Capital Improvement Program (CIP) Adopted Budget includes two projects located at the Western Service Center (WSC) second floor: Social Services Kitchenette Accessibility Improvements and Social Services Visitation Rooms Expansion and Renovation; and

WHEREAS, the Western Service Center second floor is a prime candidate to undergo an office pilot project to realize efficiencies and improve staff workspaces that better align with hybrid work schedules; and

WHEREAS, staff proposes to combine the scope of the two approved CIP projects with a reimagined office pilot project to include renovation of staff office, open office and support spaces, and creation of a common breakroom or kitchenette amenity to be accessible by all building staff; and

WHEREAS, this combined work scope includes professional design services; and

WHEREAS, a Request for Proposals was prepared and issued directly to eight design consultants on March 26, 2024; and

WHEREAS, seven proposals were received on April 16, 2024; and

WHEREAS, following evaluation of the proposals, staff reached a unanimous decision to recommend Kodet Architectural Group, Ltd. as the consultant firm to provide the specified design services for this project; and

WHEREAS, Kodet Architectural Group, Ltd. has submitted a total fee proposal of \$159,050 for design services; and

WHEREAS, staff recommends combining three approved project budgets into one new project budget to accomplish the identified work scope; and

WHEREAS, the new combined project budget will provide sufficient funding for this design contract.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Parks, Facilities, and Fleet Management Director to execute a professional services contract with Kodet Architectural Group, Ltd., 15 Groveland Terrace, Minneapolis, MN 55403 to provide design services for the Western Service Center Second Floor Redevelopment, in an amount not to exceed \$159,050, subject to approval by the County Attorney's Office as to form.

This item was approved and recommended for action by the Board of Commissioners on 5/21/2024.

Ayes: 7

4.5 Authorization To Execute Contract Amendment With Mid-America Business Systems And Equipment, Inc. For Kaposia Library Project

Motion: Joe Atkins

Second: Laurie Halverson

WHEREAS, the 2024 Capital Improvement Program (CIP) Adopted Budget as amended for the Kaposia Library project is a total of \$11,435,828.16; and

WHEREAS, by Resolution No. 23-129 (March 28, 2023), the County Board approved the original contract in the sum of \$103,942.27 with an award to Mid-America Business Systems And Equipment, Inc.; and

WHEREAS, with the original contract authorization, staff was also authorized to execute up to ten percent (\$10,394.23) worth of post-award changes; and

WHEREAS, \$13,893.31 worth of post-award changes are requested for authorization to complete a final contract amendment to the contract with Mid-America Business Systems And Equipment, Inc.; and

WHEREAS, these project cost increases to the construction contract will be paid for with uncommitted funds available within the CIP budget for this project; and

WHEREAS, sufficient funds within the CIP budget for the project (1001295) are available for this amendment.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Parks, Facilities, and Fleet Management Director to execute an amendment with Mid-America Business Systems And Equipment, Inc., 2500 Broadway Street NE, #100, Lauderdale, MN 55413, in an amount not to exceed \$13,893.31 for a total maximum contract total not to exceed \$117,835.58, subject to approval by the County Attorney's office as to form.

This item was approved and recommended for action by the Board of Commissioners on 5/21/2024.

Ayes: 7

4.6 Authorization To Award Bid And Execute Contract With Ebert Inc. For Law Enforcement Center Locker Room Expansion Project And Amend 2024 Buildings Capital Improvement Program Budget

Motion: Joe Atkins

Second: Laurie Halverson

WHEREAS, the 2023 Building Capital Improvement Program (CIP) Adopted Budget authorized the Law Enforcement Center Locker Room Expansion project; and

WHEREAS, bid document and specifications were prepared by County staff and Wold Architects & Engineers; and

WHEREAS, six competitive bids were received on May 2, 2024; and

WHEREAS, Ebert Inc. has submitted the low bid of \$373,300; and

WHEREAS, staff has reviewed the qualifications of the bidder and recommends award to Ebert Inc. as the lowest responsive and responsible bidder in an amount not to exceed \$373,300 for the Law Enforcement Center Locker Room Expansion project; and

WHEREAS, funding for the project is within the 2023 Building CIP Adopted Budget.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Parks, Facilities, and Fleet Management Director to execute a contract for the Law Enforcement Center Locker Room Expansion project to Ebert Inc. 23350 County Road 10, PO Box 97, Loretto, MN 55357, in an amount not to exceed \$373,300, subject to approval by the County Attorney's office as to form. form ; and

BE IT FURTHER RESOLVED, That the 2024 Buildings Capital Improvement Program budget is hereby amended as follows:

Expense

Prior Project Savings (1001646)	(\$30,000)
Law Enforcement Center Locker Room Expansion (2000022)	<u>\$30,000</u>
Total Expense	\$0

Revenue

Prior Project Savings (1001646)	(\$30,000)
Law Enforcement Center Locker Room Expansion (2000022)	<u>\$30,000</u>
Total Revenue	\$0

This item was approved and recommended for action by the Board of Commissioners on 5/21/2024.

Ayes: 7

4.7 Authorization To Accept Donation Of Regional Greenway Trail Easement From The Smead Manufacturing Company, LLC In City Of Hastings

Motion: Joe Atkins

Second: Laurie Halverson

WHEREAS, The Smead Manufacturing Company, LLC, (Smead) quit-claimed and conveyed a permanent pedestrian and bicycle path easement for public use to the City of Hastings (City) on a portion of their property (Property Identification Numbers 19-31900-02-150 and 19-31900-01-17) which was recorded as Document No.1569596 on January 20, 1999; and

WHEREAS, by Resolution No. 19-767 (October 29, 2019), the Dakota County Board of Commissioners approved the Vermillion River Hastings Greenway (Greenway) Master Plan; and

WHEREAS, the Greenway Master Plan identified the existing City pedestrian and bicycle path easement on the Smead property in the City as the preferred regional greenway trail (Trail) location; and

WHEREAS, the existing City trail is in poor condition, and the width and curve radii do not meet County greenway trail standards, requiring slight modifications and reconstruction; and

WHEREAS, by Resolution No. 23-406 (September 12, 2023), the Dakota County Board of Commissioners authorized the reconstruction and improvement of 4.25 miles of the Greenway from the connection with the Mississippi River Greenway in Levee Park to Pleasant Drive and to enter into a Joint Powers Agreement with the City so that the County and the City may share the actual construction costs for trail improvements and trail reconstruction; and

WHEREAS, the 2024 Parks Capital Improvement Program has adequate fund balance to construct a new section of the Greenway Trail on the Smead property; and

WHEREAS, the City has to vacate its permanent pedestrian and bicycle path easement prior to the County acquiring a new Easement in nearly the same location as the existing City's permanent pedestrian and bicycle path easement; and

WHEREAS, the City is willing to vacate its existing pedestrian and bicycle path easement on the Smead property; and

WHEREAS, Smead is supportive of granting an easement to the County and for the County to construct a new Regional Greenway Trail on its property; and

WHEREAS, the City held a public hearing on the proposed pedestrian and bicycle path easement vacation on May 6, 2024, and the City Council approved vacating its pedestrian and bicycle path easement on the Smead property on

May 6, 2024.

NOW, THEREFORE, BE IT RESOLVED, That upon approval of the City of Hastings vacating its existing pedestrian and bicycle path easement on The Smead Manufacturing Company, LLC, property, the Dakota County Board of Commissioners hereby authorizes acceptance of a 0.75-acre Regional Greenway Trail Easement from The Smead Manufacturing Company, LLC, on their property in the City of Hastings for a section of the Vermillion River - Hastings Greenway Trail, approved as to form by the County Attorney's Office.

This item was approved and recommended for action by the Board of Commissioners on 5/21/2024.

Ayes: 7

4.8 Authorization To Award Bid And Execute Construction Contract With Bituminous Roadways Inc. For County State Aid Highway 32 County Projects 32-110 Bituminous Mill And Overlay And 32-92 Traffic Signal Replacement And Amend 2024 Transportation Capital Improvement Program Budget For County Project 32-110

Motion: Joe Atkins

Second: Laurie Halverson

WHEREAS, to provide a safe and efficient transportation system, Dakota County (County) is partnering with the Cities of Burnsville and Eagan on County Projects (CP) 32-110 and 32-92; and

WHEREAS, the County is the lead agency for the Project, with construction scheduled for summer 2024; and

WHEREAS, CP 32-92 includes a traffic signal replacement at the intersection of County State Aid Highway (CSAH) 32 (Cliff Road) and Slater Road in the City of Eagan; and

WHEREAS, the purpose and need for the Project is to improve safety, operations, and capacity along the project corridor; and

WHEREAS, the County is the lead agency for the Project; and

WHEREAS, the 2024 Transportation Capital Improvement Program (CIP) Budget includes \$1,517,524 for CP 32-110 and \$1,232,240 for CP 32-92 for the project construction; and

WHEREAS, the bid from Bituminous Roadways Inc. in the amount of \$3,439,250.55 was the lowest responsive and responsible bid received; and

WHEREAS, Bituminous Roadways Inc. will be eligible for up to \$90,000 in incentives for constructing quality pavements that maximize pavement life as specified in the contract documents; and

WHEREAS, the estimated total construction cost is \$3,529,250.55, including pavement incentives, and testing; and

WHEREAS, the Minnesota Department of Transportation and the Cities concur in the award of a construction contract to Bituminous Roadways Inc. as the lowest responsive and responsible bidder; and

WHEREAS, staff recommends awarding the bid to and authorizing the execution of a contract with Bituminous Roadways Inc. for \$3,529,250.55; and

WHEREAS, staff has reviewed the bid, and the additional cost above the engineer's estimate is largely due to the 10-key bid line items; and

WHEREAS, the low bid from Bituminous Roadways Inc. exceeded both the engineer's estimate and the project budget because of higher-than-expected pavement, concrete walk, and the addition of turn lane improvements likely resulting from inflation; and

WHEREAS, Dakota County currently has a sufficient transportation fund balance for the additional costs of the project; and

WHEREAS, the Transportation CIP Adopted Budgets contains adequate funds to construct CP 32-92; and

WHEREAS, the 2024 Transportation CIP budget for CP 32-110 requires a budget amendment of \$1,743,000 to proceed with construction; and

WHEREAS, the 2024 Transportation CIP budget includes federal funding dedicated for construction in 2024 for CP 32-110; and

WHEREAS, staff recommends awarding the bid to Bituminous Roadways Inc. for CP 32-92 and CP 32-110 and amending the 2024 Transportation CIP budget for CP 32-110.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby awards the bid to and authorizes the Physical Development Director to execute the contract with Bituminous Roadways Inc. for County Projects 32-110 and 32-92 in the amount of \$3,529,250.55 based on their low bid, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the 2024 Transportation Capital Improvement Program Budget is hereby amended as follows:

Expense	
County Project 32-110	<u>\$1,743,000</u>
Total Expense	\$1,743,000

Revenue

Transportation Fund Balance \$1,743,000

Total Revenue **\$1,743,000**

This item was approved and recommended for action by the Board of Commissioners on 5/21/2024.

Ayes: 7

5. Regular Agenda

5.1 Authorization To Pursue Federal Grant Funding For Land Bridge And Sound Mitigation Construction And Update On Schematic Design For Thompson County Park Phase Two Master Plan Improvements

Motion: Joe Atkins

Second: Laurie Halverson

Jay Biedny, Capital Projects Manager, and Niki Geisler, Parks Director, presented this item and responded to questions.

The committee expressed gratitude for the detailed schematic design work. The Committee directed staff not to pursue Federal Highway Administration's Wildlife Crossings Pilot Program funding for the proposed land bridge and sound mitigation projects at this time.

Nevertheless, they have shown interest in further discussions with the City of South St. Paul, Kaposia Landing, and the Metropolitan Council to explore the possibility of designating Thompson County Park as a regional park. This matter will be discussed at a future committee meeting when staff present the park systems plan update.

The resolution language was amended to include the local match being funded with non-county tax dollars. This item failed to pass.

WHEREAS, the Thompson County Park Master Plan was approved by the Dakota County Board by Resolution No. 20-037 (January 21, 2020); and

WHEREAS, by Resolution No. 23-484 (October 24, 2023), the County Board approved the consultant selection of Hoisington Koegler Group Inc (HKGi) for pre-design and schematic design of Phase II improvements; and

WHEREAS, the Board authorized staff to move the selected projects forward from pre-design into Schematic Design by Resolution No. 24-089 (February 27, 2024); and

WHEREAS, the land bridge and sound mitigation are estimated at a cost of \$30,000,000; and

WHEREAS, the land bridge and noise mitigation have been noted as potential

candidates for federal funding, and that this funding would come at a 20 percent County match; and

WHEREAS, Staff recommend pursuing the Federal funds through the Federal Highway Administration's Wildlife Crossings Pilot Program.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Parks, Facilities, and Fleet Management Director to submit a proposal to the Wildlife Crossings Pilot Program for the design and construction of a land bridge and sound mitigation system in Thompson County Park; and

BE IT FURTHER RESOLVED, That, if awarded, staff will prepare a Request for Board Action to accept the funds.

Ayes: 3

Commissioner Atkins, Commissioner Halverson, and Commissioner Hamann-Roland

Nay: 4

Commissioner Slavik, Commissioner Droste, Commissioner Workman, and Chairperson Holberg

5.2 Discussion On Preliminary 2025 Draft Transportation Capital Improvement Program

Erin Laberee, Transportation Director/County Engineer, along with Jake Chapek, Assistant County Engineer, delivered a presentation on this subject and answered inquiries. Following the presentation, the commissioners expressed the need for staff to confirm with the municipalities of Rosemount and Inver Grove Heights before incorporating the County State Aid Highway (CSAH) 73 project from 127th Street to CSAH 32 into the final draft version of the Capital Improvement Program. Additionally, the commissioners asked to be kept updated on any developments regarding this matter.

Information only; no action requested.

5.3 Discussion And Direction On Parks, Greenways, And Natural Systems 2050 Vision For Protected Places And Interim 2017 Natural Resources Management System Plan Goal Targets

Lil Leatham, Principal Planner, and Niki Geisler, Parks Director, presented this item and responded to questions. Tom Lewanski, Natural Resources Manager, was in the audience and also spoke to this item.

During the meeting, the commissioners reviewed the 2030 vision for Protected Places and provided direction on the 2050 plan.

The following points were discussed in relation to the presented goals.

Goal 9:

Commissioners discussed the need for staff to reassess the priority of “reclaiming landfills” in the “Potential 2050 Vision Plan”. They emphasized the need to consider the plan’s timeline and the projected lifespan of Dakota County’s current landfills. The lifespan of the existing landfills may be longer than the term of this plan.

Goal 14:

Commissioners asked staff to revise the language under “Other Potential 2050 Vision Plan Priorities,” explicitly stating Dakota County’s intention to coordinate closely with cities and their planning efforts and meet with each commission for new unit discussions prior to finalizing the draft plan and to be less prescriptive on new units at this stage in the planning process.

Goal 16:

The commissioners raised concerns about the lack of consistency in the services provided and requested that the staff take steps to ensure that uniform services are delivered across all systems.

Commissioners also supported the 2017-2022 Natural Resource System Plan interim goal targets for water resources, wildlife management, greenways management for 2024-2025, and vegetative management without additional staff.

Information only; no action requested

5.4 Update On History Interpretative Loop Trail Pilot Project

John Mertens, Principal Planner presented the topic and addressed questions from the committee.

The committee directed staff to proceed with phase one of the History Interpretative Loop Trail Pilot Project through a collaboration with the Dakota County Historical Society. Phase one includes design and planning. Staff were directed to develop comprehensive cost share and funding policies prior to proceeding with phase two, construction. These cost share policies will be included in any Joint Powers Agreements developed with partner cities prior to construction.

Additionally, the commissioners have requested the allocation of funds to the Capital Improvement Program for 2025, with the funds intended for a countywide assessment.

Information only; no action requested.

6. Physical Development Director's Report

Georg Fischer, Physical Development Director, provided the Committee with a written Division update.

7. Future Agenda Items

Chair, Commissioner Mary Liz Holberg, asked the Committee if anyone had a topic they would like to hear more about at an upcoming Physical Development Committee of the Whole. No Commissioners requested topics for future meetings at this time.

8. Adjournment

8.1 Adjournment

Motion: Mary Hamann-Roland

Second: William Droste

On a motion by Commissioner Mary Hamann-Roland, seconded by Commissioner William Droste, the meeting was adjourned at 11:52 a.m.

Ayes: 7

Respectfully submitted,
Liz Hansen
Administrative Coordinator

DRAFT