



Dakota County

Physical Development Committee of the Whole

Minutes

Tuesday, January 14, 2025

9:30 AM

**Conference Room 3A, Administration
Center, Hastings**

(or following General Government and Policy)

1. Call to Order and Roll Call

The meeting was called to order at 9:45 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 Heidi Welsch, County Manager; Tom Donely, First Assistant County Attorney; Georg Fischer, Physical Development Division Director; Liz Hansen, Administrative Services 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: Liz Workman

Commissioners discussed amending the agenda by removing the following items from the Regular Agenda and placing them on the Consent Agenda:

5.2 Physical Development Administration - Approval And Authorization To Award Construction Contracts To Accomplish 2025 Transportation, Parks, And Facilities Capital Improvement Projects

5.3 Physical Development Administration - Approval Of Right Of Way

Acquisition For Projects Included In The 2025 Transportation CIP, Authorization To Make First Offers Based On Appraised Values And Delegated Acquisition Settlement Authority

On a motion by Commissioner Hamann-Roland, seconded by Commissioner Workman, the consent agenda was unanimously approved as amended:

Ayes: 7

4. Consent Agenda

4.1 Approval Of Minutes Of Meeting Held On November 19, 2024

Motion: Mike Slavik

Second: Mary Hamann-Roland

Ayes: 7

4.2 Authorization To Execute Contracts With Veolia ES Technical Solutions, L.L.C., And Clean Harbors Environmental Services, Inc., For Hazardous Waste Management

Motion: Mike Slavik

Second: Mary Hamann-Roland

WHEREAS, Minn. Stat. § 115A.96 requires counties to have a household hazardous waste program to help keep hazardous waste out of the solid waste stream; and

WHEREAS, the Dakota County Board of Commissioners wishes to provide a household hazardous waste program to further the goals of protecting public health and the environment; and

WHEREAS, Veolia ES Technical Solutions, L.L.C., and Clean Harbors Environmental Services, Inc. are the State contract vendors for hazardous waste management; and

WHEREAS, the current Agreement for the Operation of a Household Hazardous Waste Program with the Minnesota Pollution Control Agency indemnifies the County when the County uses State contracts for hazardous waste management; and

WHEREAS, Dakota County currently uses the State contract to manage hazardous waste collected at The Recycling Zone and one-day events; and

WHEREAS, the County's Attorney's Office and Risk Management determined that a County contract is needed for hazardous waste management; and

WHEREAS, the \$800,000 annual contract cost is included in the household hazardous waste annual budget; and

WHEREAS, staff recommends execution of contracts with Veolia ES Technical

Solutions, L.L.C., and Clean Harbors Environmental Services, Inc., for hazardous waste management.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Environmental Resources Director to execute a contract with Veolia ES Technical Solutions, L.L.C., for hazardous waste management for waste collected at The Recycling Zone and one-day collection events subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Environmental Resources Director to execute a contract with Clean Harbors Environmental Services, Inc., for hazardous waste management for waste collected at The Recycling Zone and one--day collection events, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the terms of the contracts will start March 1, 2025, and will incorporate the same terms and conditions of the State contracts; and

BE IT FURTHER RESOLVED, That the Environmental Resources Department Director is authorized to execute annual renewals of the contracts for up to nine years in an amount consistent with the annual budget for the required services.

This item was approved and recommended for action by the Board of Commissioners on 1/21/2025.

Ayes: 7

4.3 Authorization To Award Bid And Execute Contract With Native Resource Preservation, LLC, For Restoration And Enhancement At Grannis and McCullough Conservation Easements

Motion: Mike Slavik

Second: Mary Hamann-Roland

WHEREAS, the Land Conservation Plan, approved by the Dakota County Board of Commissioners on November 17, 2020, identified 24 Preliminary Conservation Focus Areas and directed staff to pursue the acquisition and restoration of conservation easements with willing landowners within these Focus Areas; and

WHEREAS, the Dakota County Board of Commissioners approved the purchase of conservation easements on the Gelhar-Emrick (now McCullough) property on July 22, 2008, and on the Grannis property on June 21, 2011, and June 21, 2016; and

WHEREAS, funding for restoration work at these properties is derived from the Board of Water and Soil Resources Habitat Enhancement Landscape Program grant, authorized by the Dakota County Board of Commissioners on June 25, 2024, and the Minnesota Legislature's 2022 Outdoor Heritage Fund grant,

authorized on August 23, 2022; and

WHEREAS, a request for quotes was prepared and released on November 7, 2024, to ten vendors; and

WHEREAS, the lowest responsive, responsible quote was from Native Resource Preservation, LLC, for \$109,052.62; and

WHEREAS, Native Resource Preservation, LLC's submission for Alternate 1 will be included in the contract scope for an additional \$23,704.09.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Parks Department Director to execute a contract with Native Resource Preservation, LLC, for restoration work on the Gelhar-Emrick/McCullough and Grannis properties, with a contract maximum of \$132,756.71, subject to the approval of the County Attorney's Office as to form.

This item was approved and recommended for action by the Board of Commissioners on 1/21/2025.

Ayes: 7

4.4 Authorization To Award Bid And Execute Contract With Native Resource Preservation, LLC For Restoration And Enhancement Of County Conservation Easement On Wicklund Trust Property

Motion: Mike Slavik

Second: Mary Hamann-Roland

WHEREAS, the 2020 Land Conservation Plan identified 24 Preliminary Conservation Focus Areas and directed staff to pursue conservation easements with willing landowners within these Focus Areas; and

WHEREAS, on April 6, 2021, the Dakota County Board of Commissioners approved the purchase of a conservation easement on the Wicklund property; and

WHEREAS, funding for this work will be derived from the Minnesota Legislator's 2018 Outdoor Heritage Fund Grant; and

WHEREAS, a request for proposals was prepared and released on December 6, 2024; and

WHEREAS, the lowest responsive, responsible proposal, including all alternates, was submitted by Native Resource Preservation, LLC; and

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute a contract with Native Resource Preservation, LLC, for the Wicklund Conservation Easement Natural Resource Management Plan Implementation Project for a contract maximum of \$240,371, 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 1/21/2025.

Ayes: 7

4.5 Authorization To Acquire Wicklund Trust Property In Waterford Township And Amend 2025 Parks Capital Improvement Program Budget

Motion: Mike Slavik

Second: Mary Hamann-Roland

WHEREAS, the Jerry C. Wicklund and Audrey C. Wicklund Trust, under Agreement dated October 25, 2021, (Wicklund Trust) own 151 acres in Waterford Township; and

WHEREAS, the Wicklund Trust property is located within the Chub Creek Conservation Focus Area, identified in the 2020 Land Conservation Plan for Dakota County, and includes a portion of the future Chub Creek Greenway corridor identified in the 2008 Dakota County 2030 Park System Plan; and

WHEREAS, several State-listed rare plants have been identified on the Wicklund Trust property, and Jerry and Audrey Wicklund (Wicklund) have allowed County staff to harvest native seeds for use within the park system; and

WHEREAS, the Wicklunds planted many native trees and prairie species over their lifetime of ownership, in addition to investing extensive effort into controlling invasive species, such as buckthorn; and

WHEREAS, County staff began working with the Wicklunds in 2009 to permanently protect a portion of their property, and

WHEREAS, by Resolution No. 20-633 (December 14, 2020), the County Board of Commissioners approved the expenditure of up to \$291,912 to acquire a 121.60-acre permanent natural area conservation easement (Easement) on the Wicklund property; and

WHEREAS, due to a reduction in landowner donation and a slight increase in the size of the Easement, the County Board of Commissioners rescinded Resolution No. 20-633 and by Resolution No. 21-185 (April 6, 2021), approved the expenditure of up to \$339,412 to acquire a 122.43-acre Easement on the Wicklund property; and

WHEREAS, the Easement was acquired on May 14, 2021, using a combination of State Outdoor Heritage (OH) funds and County grant-match; and

WHEREAS, the Wicklunds transferred ownership of their property to the Jerry C. Wicklund and Audrey C. Wicklund Trust, under Agreement dated October 25, 2021, (Wicklund Trust); and

WHEREAS, the Easement area includes two countywide snowmobile trails and numerous mowed trails that can serve as future public hiking trails and function as natural resource management unit boundaries; and

WHEREAS, the Easement would allow a future paved Chub Creek Greenway trail but would require approval from the Lessard-Sams Outdoor Heritage Council (LSOHC), which is responsible for administering OH funds; and

WHEREAS, the County and the Wicklund Trust continue improving natural resource quality within the Easement area through implementation of a natural resource management agreement; and

WHEREAS, the Wicklunds and the Wicklund Trust have allowed special turkey hunting opportunities for military veterans and youth on their property for many years; and

WHEREAS, the Wicklund Trust began exploring future ownership options for their property in 2023 and now desire to sell fee title to the Easement area and additional land to the County for a new County Park Conservation Area; and

WHEREAS, the County completed, reviewed, and approved an appraisal for acquiring fee title to the Easement area and an additional 1.07 acres for access and a small parking area; and

WHEREAS, County staff contacted the LSOHC to determine if OH funds previously appropriated to the County would be eligible for fee title acquisition since most of the property is already protected by the Easement; and

WHEREAS, the LSOHC recently denied a request to use OH funds for property already protected by an easement and affirmed an existing policy in which expenditure of additional OH funds for land already protected by an easement would not be approved; and

WHEREAS, the Wicklund Trust is willing to sell fee title to 123.5 acres and a 6,250 square foot access easement for 31 percent less than the \$617,000 appraised value, or \$425,000; and

WHEREAS the Wicklund Trust has requested that the County consider amending Section 3.7 of Park Ordinance 107 to allow Spring youth and military veterans turkey hunting within their former property once acquired by the County; and

WHEREAS, the estimated closing costs are \$3,500; and

WHEREAS, the Wicklund Trust property includes two, ten-year Conservation Reserve Program (CRP) contracts with the Commodity Credit Corporation of the U.S. Department of Agriculture; and

WHEREAS, the CRP contracts provides \$15,876 annual payments to the landowner, and the County would be eligible to receive the remaining CRP payments totaling \$63,305 for the years 2025 through 2028; and

WHEREAS, adequate funding for this fee title acquisition is available in the 2025 Parks Capital Improvement Program budget through the 2022 Minnesota Legislature OH County grant-match; and

WHEREAS, the final acquisition costs of the property will be determined after the settlement statement is finalized and all associated acquisition expenses have been invoiced.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the expenditure of up to \$428,500 to acquire 123.5 acres and a 6,250 square foot access easement in Waterford Township from the Jerry C. Wicklund and Audrey L. Wicklund Trust, under an Agreement dated October 25, 2021, including \$425,000 for fee title acquisition and \$3,500 in estimated closing costs; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Division Director to execute a purchase agreement with the Jerry C. Wicklund and Audrey L. Wicklund Trust, under an Agreement dated October 25, 2021, to acquire fee title to 123.5 acres and a 6,250 square foot access easement, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby designates the property being acquired from the Jerry C. Wicklund and Audrey L. Wicklund Trust, under an Agreement dated October 25, 2021, as a new County Park Conservation Area; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby directs that the \$15,876 annual Conservation Reserve Program payments for the Wicklund Trust property be added to the Parks Capital Improvement Program budget for the years 2025 through 2028; and

BE IT FURTHER RESOLVED, That the 2025 Parks Capital Improvement Program budget is hereby amended as follows:

Expense

Wicklund Trust Property Acquisition	<u>\$63,305</u>
Total Expense	\$63,305

Revenue

Conservation Reserve Program	<u>\$63,305</u>
Total Revenue	\$63,305

; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby directs staff to submit a potential amendment to section 3.7 of Park Ordinance 107 for consideration that would allow for a limited number of permits to be issued to non-profit and other community organizations for hunting within identified County Park Conservation Areas.

This item was approved and recommended for action by the Board of Commissioners on 1/21/2025.

Ayes: 7

4.6 Authorization To Execute Contract With Bolton & Menk, Inc. For Construction Administration And Inspection Services For Minnesota River Greenway In Burnsville And Eagan, County Project P00127

Motion: Mike Slavik

Second: Mary Hamann-Roland

WHEREAS, by Resolution No. 11-516 (October 18, 2011), the Dakota County Board of Commissioners adopted the Minnesota River Greenway Plan; and

WHEREAS, Dakota County requires professional services for the administration and inspection for the construction of the pedestrian bridge over the Union Pacific Railroad track; and

WHEREAS, a request for proposals was released on November 25, 2024, for construction administration and inspection services; and

WHEREAS, three responses were received from qualified proposers; and

WHEREAS, Bolton & Menk, Inc. was identified as the most responsive to the request for proposals and within the project budget.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute a contract with Bolton & Menk, Inc. to provide construction administration services for the pedestrian bridge for the Fort Snelling Segment of the Minnesota River Greenway in Eagan in an amount not to exceed \$666,423, 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 1/21/2025.

Ayes: 7

4.7 Authorization To Execute First Amendment With Max Steininger, Inc. For Veterans Memorial Greenway Construction In Inver Grove Heights, County Project P00147

Motion: Mike Slavik

Second: Mary Hamann-Roland

WHEREAS, to provide high-quality recreational and educational opportunities in harmony with natural resource preservation and to honor Dakota County's more than 25,000 veterans, Dakota County is proceeding with the Veterans Memorial Greenway County Project (CP) P00147; and

WHEREAS, the Veterans Memorial Greenway Phase I is the first segment of regional trail to be secured, designed, and constructed in order to connect the Mendota to Lebanon Greenway in Eagan to the Mississippi River Greenway in Inver Grove Heights; and

WHEREAS, the Veterans Memorial Greenway Phase I includes construction of two miles of trail starting 500' west of the intersection of Alameda Path and Cliff Road in Inver Grove Heights and extending east along Cliff Road through Flint Hills property and then ending at Rich Valley Park; and

WHEREAS, by Resolution No. 24-188 (April 9, 2024), the County Board authorized the execution of a contract with Max Steininger Inc., for the construction of Phase I of the Veterans Memorial Greenway, CP P00147; and

WHEREAS, the project is now substantially complete with only minor items of work and turf establishment remaining; and

WHEREAS, the construction contract has increases of \$598,476.58 or 22 percent over the original contract amount; and

WHEREAS, the construction cost increases include additional costs for excavation, grading, hauling, and quantity overruns for the trail base; and

WHEREAS, staff recommends authorizing a contract amendment with Max Steininger Inc. in the amount of \$598,476.58 for construction cost increases; and

WHEREAS, the 2025 Park's Capital Improvement Program Budget has sufficient funds to accommodate the construction contract.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute a first amendment to the contract with Max Steininger Inc., in the amount of \$598,476.58 for increased costs, resulting in a total amount of \$3,345,698.88 for the construction work (County Project P00147) associated with the Veterans Memorial Greenway Phase I Segment, 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 1/21/2025.

Ayes: 7

4.8 Authorization To Execute Contract With CityVerse For Real Estate Acquisition Tracking Software

Motion: Mike Slavik

Second: Mary Hamann-Roland

WHEREAS, the County has identified a need for real estate acquisition tracking software; and

WHEREAS, CityVerse performed a demonstration and provided a quote for their software-as-a-service and was selected for their functionality and cost effectiveness; and

WHEREAS, staff recommends executing a contract with CityVerse to implement CityVerse software; and

WHEREAS, the projected total cost of the contract is \$150,000 for a period of three years, commencing on the date of execution of the contract.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Deputy Director to execute a contract with CityVerse for real estate acquisition software in an amount not to exceed \$150,000 for a period of three years commencing on the date of execution of the contract, 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 1/21/2025.

Ayes: 7

4.9 Authorization To Submit And Accept Grant Funds For 2025 Rebuilding American Infrastructure With Sustainability And Equity Federal Grant Program For County Projects 50-33 And 54-11

Motion: Mike Slavik

Second: Mary Hamann-Roland

WHEREAS, the U.S. Department of Transportation is requesting project submittals for the Rebuilding American Infrastructure with Sustainability and Equity (RAISE) grant program; and

WHEREAS, the RAISE federal grant program funds up to 80 percent of project costs in urban areas and up to 100 percent in rural areas; and

WHEREAS, funding for County Project (CP) 50-33, the Interstate 35 and County State Aid Highway (CSAH) 50 bridge and interchange project, will improve freight capacity and general mobility, accommodate future growth and support economic development opportunities, promote safety, and enhance multimodal connections; and

WHEREAS, funding for CP 54-11 will address safety and modern design improvements for CSAH 54 and integrate pedestrian facilities between Hastings

and the Dakota County line; and

WHEREAS, federal funding of projects reduces the burden on local taxpayers for regional improvements; and

WHEREAS, project submittals are due on January 30, 2025; and

WHEREAS, the two projects proposed are consistent with the adopted Dakota County Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the resubmittal of County Project 50-33, the Interstate 35 and County State Aid Highway 50 bridge and interchange project, and County Project 54-11, reconstruction of County State Aid Highway 54 and integration of pedestrian facilities to the U.S. Department of Transportation for the Rebuilding American Infrastructure with Sustainability and Equity grant program and authorizes the Transportation Director to accept grant funds, if awarded, and execute grant agreements subject to approval as to form by the Dakota County Attorney's Office; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby approves requesting letters of support from cities within the project areas, the Minnesota Department of Transportation, the Metropolitan Council, the Prairie Island Indian Community, and the Dakota County congressional delegation.

This item was approved and recommended for action by the Board of Commissioners on 1/21/2025.

Ayes: 7

4.10 Authorization To Execute First Contract Amendment With Kimley-Horn And Associates, Inc. And Execute Joint Powers Agreements With City Of Apple Valley For Improvements To County State Aid Highway 42 In Apple Valley, County Project 42-163

Motion: Mike Slavik

Second: Mary Hamann-Roland

WHEREAS, to provide a safe and efficient transportation system, Dakota County is proceeding with County Project (CP) 42-163; and

WHEREAS, CP 42-163 is the preliminary and final engineering design of improvements to County State Aid Highway 42 in the City of Apple Valley from Redwood Drive to 147th Street and vicinity; and

WHEREAS, by Resolution No. 23-602 (December 19, 2023), the Dakota County Board of Commissioners authorized the execution of a design services contract with consultant Kimley-Horn and Associates, Inc. (Kimley-Horn) to perform preliminary and final design engineering services for a total contract amount not to exceed \$959,920; and

WHEREAS, the cost of the additional out-of-scope and expanded work tasks and professional services to be performed by Kimley-Horn is \$619,285, resulting in a new contract amount not to exceed \$1,579,205; and

WHEREAS, the County Engineer recommends executing the first contract amendment with Kimley-Horn for Contract Number DCA20482 for preliminary and final engineering of CP 42-163; and

WHEREAS, staff recommends authorization to execute two joint powers agreements with the City of Apple Valley, first to define cost-share responsibilities for the preliminary and final engineering design contract costs and second to define cost-share responsibilities for right of way and construction costs for CP 42-163.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to amend the not-to-exceed contract value of \$959,920 for Contract Number DCA20482 with Kimley-Horn and Associates, Inc., for County Project 42-163 to a total contract amount not to exceed \$1,579,205, including reimbursables; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute two joint powers agreements with the City of Apple Valley for County Project 42-163, first to define cost-share responsibilities for the preliminary and final engineering design contract costs and second to define cost-share responsibilities for right of way and construction costs.

This item was approved and recommended for action by the Board of Commissioners on 1/21/2025.

Ayes: 7

4.11 Authorization To Execute Amendment To Contract With HDR Engineering, Inc., For County Road 86 Railroad Bridge Replacement In Castle Rock Township, County Project 86-34

Motion: Mike Slavik

Second: Mary Hamann-Roland

WHEREAS, to provide a safe and efficient transportation system, Dakota County is replacing the original timber railroad bridge over County State Aid Highway 86; and

WHEREAS, the design of the bridge plans was done by HDR Engineering, Inc.; and

WHEREAS, a contract was executed with HDR Engineering, Inc., for the review of materials and plan changes; and

WHEREAS, the current contract amount is \$140,000; and

WHEREAS, the bridge completion date is February 28, 2025; and

WHEREAS, staff recommends authorizing the execution of an amendment to the contract with HDR Engineering, Inc., in the amount of \$150,000 funded by Sales & Use Tax.

NOW, THEREFORE BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Transportation Director to execute an amendment to the contract with HDR Engineering, Inc., in the amount of \$150,000 for additional review and approval of materials and changes to the bridge plans for County Project 86-34, 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 1/21/2025.

Ayes: 7

4.12 Authorization To Execute Purchase Agreement For Advanced Acquisition Of Property For Transportation, County Project 63-33

Motion: Mike Slavik

Second: Mary Hamann-Roland

WHEREAS, to promote a safe and efficient transportation system, Dakota County is proceeding with County Project 63-33, Delaware Avenue Reconstruction in the Cities of Mendota Heights, and West St. Paul; and

WHEREAS, County Board authorized the execution of a contract with Kimley Horn, Inc. for professional design services for CP 63-33 and CP 4-18; and

WHEREAS, during the preliminary engineering process, it was determined that acquisition of the property owned by Russell and Angela Radabaugh located at 1211 Delaware Avenue might be necessary to complete the project; and

WHEREAS, County staff discovered that this property was listed for sale at \$325,000 in the open real estate market; and

WHEREAS, County staff collaborated with the design consultant to conduct an early engineering analysis of construction impacts and make the necessary determinations of early right of way acquisition needs; and

WHEREAS, preliminary engineering analysis indicated that construction would directly impact the property structure at the improved parcel, and thus an early acquisition of the parcel would be advantageous from a fiscal perspective; and

WHEREAS, it was determined that the early acquisition of the property owned by Russell and Angela Radabaugh located at 1211 Delaware Ave, for \$325,000, including an additional \$5,000 in transaction costs, is necessary to move forward with CP 63-33; and

WHEREAS, the 2024-2028 Transportation Capital Improvement Program Adopted Budget includes sufficient funding for right of way acquisition costs.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners approve the advanced acquisition of 1211 Delaware Ave and authorizes the execution of a purchase agreement with Russell and Angela Radabaugh for a purchase price of \$325,000 with an additional \$5,000 to cover the transaction costs and authorizes payment from the 2024 Transportation Capital Improvement Program Adopted Budget.

This item was approved and recommended for action by the Board of Commissioners on 1/21/2025.

Ayes: 7

4.13 Authorization To Execute Joint Powers Agreement With City Of Eagan For City Utility Improvement Incorporation Into 2025 Preservation Projects On County State Aid Highway 30, County Project 30-43

Motion: Mike Slavik

Second: Mary Hamann-Roland

WHEREAS, to provide a safe and efficient transportation system, Dakota County is proceeding with the 2025 Preservation of Paved Highway Surfaces; and

WHEREAS, included in the County's preservation work is an opportunity for coordination with the city stakeholders to partner on any necessary utility repairs within the road segments being included; and

WHEREAS, the City of Eagan desires to incorporate sanitary sewer, water main, or storm sewer repairs as part of County Project 30-43; and

WHEREAS, County Project 30-43 is the mill and overlay of County State Aid Highway 30 (Diffley Road) from Trunk Highway 13 to Interstate Highway 35E in Eagan; and

WHEREAS, a joint powers agreement (JPA) between the County and the City of Eagan is necessary to outline roles, responsibilities, and cost participation; and

WHEREAS, the cost share for utility maintenance/improvements associated with storm sewer is 80 percent County and 20 percent City in accordance with the terms and conditions of the current adopted Maintenance Agreement for Storm Sewer Systems (Dakota County Contract No. C0025408); and

WHEREAS, the cost share for utility maintenance/improvements associated with water main and sanitary sewer is 100 percent City; and

WHEREAS, the 2025 Transportation Capital Improvement Program Adopted

Budget includes sufficient funds to proceed with the 2025 Preservation of Paved Highway Surfaces, including the County's cost share for storm sewer improvements.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute a joint powers agreement between Dakota County and the City of Eagan for utility repair work associated with County Project 30-43 which is included in the 2025 Preservation of Paved Highway Surfaces.

This item was approved and recommended for action by the Board of Commissioners on 1/21/2025.

Ayes: 7

5. Regular Agenda

5.1 Discussion And Direction On Transportation Cost Participation Policy For Aesthetics

Erin Laberee, Transportation Director/County Engineer, presented this topic and responded to questions.

The following people were also in the audience and spoke to this item:

Clint Hoopshaw, Mayor of Apple Valley

Tom Lawell, City Administrator

Doug Abere, Dakota County, Sr. Project Manager

Staff and committee members discussed the transportation cost policy for aesthetics, using the County Road 42 project in Apple Valley as an example on how it is currently written and the impact of potential changes to the policy. The policy, which is included in the Dakota County 2040 Transportation Plan, currently caps county participation in aesthetics at 3% of the overall county share for the project. Staff provided examples of other metro counties and the Mn Department of Transportation on aesthetics for comparison. Of the metro counties, Dakota and Washington Counties have the highest cost share for aesthetic items, such as landscaping, decorative pavements, surface treatments and decorative fencing.

Staff provided a summary of the two alternatives currently being considered for the County Road 42 project between Redwood Drive and Pennock Drive in Apple Valley. The standard barrier design is estimated at \$1.9M less than the cities preferred cast-in-place design. Clint Hoopshaw (Mayor, Apple Valley) and Tom Lawell (City Administrator, Apple Valley) expressed concerns regarding the economic impact and aesthetics of the standard barrier design. Some commissioners expressed a preference for the standard design to ensure consistency and cost efficiency.

The commissioners called for a deeper discussion on the county's policy

regarding aesthetic contributions for road projects. They asked the staff to evaluate its impact on principal arterials and consider expanding eligibility to other roads that could benefit. This information will be presented along with other cost share considerations later this year.

The Board provided direction to continue with the current 3% cost share policy for aesthetics until additional discussion and evaluation of the County's other Transportation cost-share policies could be completed. The County Board also stressed that they did not want to delay the County Road 42 project, but that the Joint Powers Agreement that will govern the project could provide language indicating that any future changes to the policy would apply to the project.

Information only; no action requested.

5.2 Approval And Authorization To Award Construction Contracts To Accomplish 2025 Transportation, Parks, And Facilities Capital Improvement Projects

Motion: Mike Slavik

Second: Mary Hamann-Roland

This item was approved through the Consent Agenda and no presentation was given.

WHEREAS, the Dakota County Physical Development Administration Department regularly requests County Board approval for actions required to deliver projects in the adopted Capital Improvement Program (CIP); and

WHEREAS, awarding construction contracts to the lowest responsible bidder is a regular consent action item brought forward to the Board for projects in the CIP; and

WHEREAS, awards to bidders that are not the low bid would be brought to the County Board for approval; and

WHEREAS, this resolution does not alter the Board process for adopting projects in the CIP each year or the process for obtaining Board approval for professional services contracts, study recommendations, appraisals, and right of way settlements; and

WHEREAS, project updates would continue to be presented to the Board; and

WHEREAS, staff will provide the Board with a detailed list of authorized projects, including budget reference information, and provide periodic updates on executed and construction contract awards.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners delegates authority to the County Manager or designee to award construction contracts to the lowest responsible bidder, consistent with County Policies, provided sufficient funds are available for the following projects:

Transportation:

- CP 5-58 on CSAH 5 (County Road 5) at Southcross Drive W Signal Replacement in Burnsville
- CP 26-67 on CSAH 26 (Lone Oak Road) from TH 13 to I-35E in Eagan
- CP 28-69 on CSAH 28 (80th Street) from 730' E of Cahill Avenue to CSAH 56 (Concord Boulevard) in Inver Grove Heights; tied to CP 56-14
- CP 32-65 on "New" CSAH 32 (117th Street) from CSAH 71 to TH 52 in Inver Grove Heights
- CP 42-168 on CSAH 42 (150th Street) at Southcross Drive Signal Replacement in Burnsville
- CP 42-172 on CSAH 42 (150th Street) from 147th Street to CSAH 33 (Diamond Path) in Apple Valley
- CP 42-177 on CSAH 42 at Garrett Avenue and at Pilot Knob Road in Apple Valley
- CP 43-55 on CSAH 43 (Lexington Avenue) from CSAH 32 (Cliff Road) to Wescott Drive in Eagan
- CP 50-37 on CSAH 50 (202nd Street W) at Hamburg Avenue Roundabout in Lakeville
- CP 56-14 on CSAH 56 (Concord Blvd/Concord St) Pedestrian Crossing Enhancements in Inver Grove Heights; tied to CP 28-69
- CP 64-28 on CR 64 (195th Street) at Eureka Avenue in Farmington
- CP 85-23 on CSAH 85 (Goodwin Avenue) Reconstruct Bridge No. 19504 in Vermillion Township
- CP 91-30 on CSAH 91 (Nicolai Avenue) from Miesville Trail to Trunk Highway 61 (240th Street) in the City of Miesville/Douglas Township
- CP 97-218 on CSAH 38 (McAndrews Road) Retaining Wall Replacement in Apple Valley
- CP 97-144 Township Bridge L3285 Replacement on Inga Avenue in Hampton and Douglas Townships
- CP 97-164 Township Bridge L3249 Replacement on 205th Street East in Marshan Township
- Paved Highway Surfaces
- Gravel Highway Surface
- Gravel Highway Surface - Repairs
- Crack Seal
- Pedestrian and Bicycle Facilities
- Retaining Wall Maintenance
- Traffic Safety & Operations - Pavement Markings
- Storm Sewer System Maintenance
- Signal Revisions/Communications
- Traffic Signal - New/Replacement
- Trail Gap Setaside

Parks:

- 2000232 - Mississippi River Greenway - Wayfinding, Landscaping, Interpretation
- P30002 - River to River Greenway - Mendota Heights Valley Park - North of Marie
- 2000234 (CP 42-175) - Vermillion Highlands Greenway - Rosemount (Connemara to CSAH 42 to 155th)
- Mississippi River Greenway - Hastings Bluff and Overlook

Facilities:

- Judicial Center Water Softener Replacement
- Countywide Carpet Replacement Program
- Countywide Roof Replacement Program
- Law Enforcement Center Housing Unit Floor Replacement
- Countywide Parking Lots Seal and Repair
- Judicial Center Exterior Window Replacement
- Countywide Infrastructure Maintenance Allocation Projects
- Law Enforcement Center Boiler and Chiller Replacement
- Western Service Center Cooling System Replacement
- Law Enforcement Center Restroom Renovations
- Juvenile Services Center Intake Shower and Storage Area Renovation
- Law Enforcement Center Intake, Release, and Garage Renovation

This item was approved and recommended for action by the Board of Commissioners on 1/21/2025.

Ayes: 7

5.3 Approval Of Right Of Way Acquisition For Projects Included In 2025
Transportation CIP, Authorization To Make First Offers Based On Appraised
Values And Delegated Acquisition Settlement Authority

Motion: Mike Slavik

Second: Mary Hamann-Roland

This item was approved through the Consent Agenda and no presentation was given.

WHEREAS, to provide a safe and efficient transportation system, Dakota County is proceeding with projects included in the 2025 Transportation Capital Improvement Program (CIP); and

WHEREAS, Dakota County is the lead agency for right of way acquisition necessary in 2025 for construction to begin in 2026; and

WHEREAS, the acquisition of property interests, such as fee title and temporary and permanent easements, from private property parcels identified in Dakota County 2025 Transportation CIP projects by the County is necessary to deliver and construct the projects during the programmed year; and

WHEREAS, all valuations of the property interests to be acquired are based upon independent valuation reports; and

WHEREAS, delegation of authority to approval appraisals of value and all first offers being made to the property owners by the Director of Physical Development or their designee will allow for more time for property owners to review the County's offers and resolved the acquisitions before eminent domain may be necessary; and

WHEREAS, in the event that timely acquisition by direct negotiation of all required parcels does not appear possible, staff will seek County Board authorization for the County Attorney's Office to initiate quick-take condemnation of the remaining unsettled parcels;

WHEREAS, by Resolution No. 11-241 (May 18, 2011), second resolving clause at item 13, the County Board delegated authority to the County Manager to may acquisition payments of \$10,000 in excess of the County Board's approved appraisal to settle right of way acquisitions;

WHEREAS, Staff recommends that Resolution No. 11-241 (May 18, 2011), second resolving clause item 13, be rescinded and replaced with authority to for the County Manager to make payments for property interests necessary for the County's Capital Improvement Program in an amount up to \$30,000 in excess of the County approved appraised value, upon determination that the payment is reasonable, prudent and in the public's best interest, but not to exceed an award by the condemnation commissioners or court.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Director of Physical Development or their designee to approve appraisals of value and to make initial offers based on appraised value for any right of way acquisitions needed for 2025 Transportation Capital Improvement Program projects.

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby rescinds item 13 in the second resolving clause of Resolution No. 11-241 (May 18, 2011) delegating authority to may payment for right of way acquisitions and authorizes the County Manager to make payments for property interests necessary for the County's Capital Improvement Program in an amount up to \$30,000 in excess of the County approved appraised value, upon determination that the payment is reasonable, prudent and in the public's best interest, but not to exceed an award by the condemnation commissioners or court.

This item was approved and recommended for action by the Board of Commissioners on 1/21/2025.

Ayes: 7

5.4 Discussion And Direction On 2050 Parks, Greenways, And Natural Systems
2050 Vision Plan Draft Goals And New Park Units

Lil Leatham, Principal Planner, presented this topic and responded to questions.

Staff presented draft goals for the 2050 Vision Framework and draft strategies related to potential new parks and greenways.

Commissioners provided feedback on several of the 14 draft aspirational goals. This feedback included developing a clearer delineation between City and County roles related to parks and trails and incorporating planned development into park planning efforts. Commissioners also discussed initiatives to preserve tribal settlement sites and burial grounds in Dakota County, emphasizing their historical significance. Commissioners requested more information on community outreach's impact on recommendations.

Potential new park search areas and Greenway search corridors were discussed in detail. Three park search areas were identified to support historically underrepresented populations and geographic areas. Commissioners encouraged exploring future development opportunities, such as financial contributions or land donations, while prioritizing the completion of the existing Greenway system before any expansion. Further discussions with cities regarding the community trail concept are also needed to understand their priorities.

Staff were asked to come back to the Board to specifically address the tools that can be used to protect land within the Park System. This will include a better defined County Park Conservation Area concept, and additional information on the Regional Systems park components like Bridging Facilities and Special Recreation Features.

The importance of interconnected trails for development and funding was also highlighted, as Dakota County's efforts to connect amenities and improve transportation can enhance residents' quality of life and walkability in suburban areas.

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: Mike Slavik

Second: Mary Hamann-Roland

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

Ayes: 7

Respectfully submitted,
Liz Hansen
Administrative Coordinator