



Dakota County

Physical Development Committee of the Whole

Minutes

Tuesday, April 16, 2024

9:00 AM

Conference Room 3A, Administration
Center, Hastings

1. Call To Order And Roll Call

The meeting was called to order at 9:00 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: Liz Workman

Second: Laurie Halverson

Ayes: 7

4. Consent Agenda

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

Motion: Mary Hamann-Roland

Second: William Droste

Ayes: 7

4.2 Authorization To Execute Delegation Agreement With Minnesota Department Of Natural Resources For Aquatic Invasive Species Watercraft Inspections

Motion: Mary Hamann-Roland

Second: William Droste

WHEREAS, watercraft inspection programs are an effective education and enforcement tool for slowing the spread of AIS on Minnesota water bodies; and

WHEREAS, to establish a local AIS watercraft inspection program, a Local Governmental Unit (LGU) must execute a Delegation Agreement with the Minnesota Department of Natural Resources (MN DNR) that allows the LGU to hire or contract AIS inspectors; and

WHEREAS, the inspectors receive MN DNR certification and authorization to inspect watercraft for AIS and prohibit lake access if necessary; and

WHEREAS, the proposed Delegation Agreement would allow Dakota County to continue inspections through December 31, 2026; and

WHEREAS, AIS inspectors check watercraft entering and leaving public accesses and distribute AIS educational materials to those inspected; and

WHEREAS, if AIS is discovered, the inspector works with the watercraft owner to meet MN DNR removal and decontamination requirements; and

WHEREAS, all inspection information is recorded and downloaded into the DNR's statewide AIS inspection database.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Environmental Resources Director to execute a delegation agreement with the Minnesota Department of Natural Resources to provide Aquatic Invasive Species inspections on Dakota County waterbodies through December 31, 2026, 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 4/23/2024.

Ayes: 7

4.3 Authorization To Execute Contract Amendment With Donlar Construction Company For Kaposia Library Project And Amend 2024 Buildings Capital Improvement Program Budget

Motion: Mary Hamann-Roland

Second: William Droste

WHEREAS, the 2024 Capital Improvement Program (CIP) Adopted Budget as amended for the Kaposia Library project is a total of \$11,300,000; and

WHEREAS, the City of South St. Paul provided another \$135,828.16 in reimbursable funding for the Kaposia Library project's construction; and

WHEREAS, by Resolution No. 22-383 (September 6, 2022), the County Board approved the original contract in the sum of \$8,434,500 with an award to Donlar Construction Company; and

WHEREAS, with the original contract authorization, staff was also authorized to execute up to \$250,000 worth of post-award changes; and

WHEREAS, \$249,638.16 in contract amendments have already been formally executed by way of that authorization; and

WHEREAS, an additional \$269,820.00 worth of post-award changes are requested for authorization to complete a final contract amendment to the contract with Donlar Construction Company; 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, the total authorized contract amendments to this contract would then be \$519,458.16 for reimbursement of all construction change orders on the 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 Donlar Construction Company, 550 Shoreview Park Road, Shoreview, MN 55126, in an amount not to exceed \$269,820.00 for a total maximum contract total not to exceed \$8,953,958.16, subject to approval by the County Attorney's office as to form.

BE IT FURTHER RESOLVED, That the 2024 Buildings CIP Budget is hereby amended as follows:

Expense	
South St. Paul Library (1001295)	<u>\$135,828.16</u>
Total Expense	\$135,828.16
Revenue	
South St. Paul Funding	<u>\$135,828.16</u>
Total Revenue	\$135,828.16

This item was approved and recommended for action by the Board of Commissioners on 4/23/2024.

Ayes: 7

4.4 Authorization To Execute Contract With LHB, Inc. For Professional Services And Authorization To Amend 2024 Parks Capital Improvement Program Budget For North Creek Greenway Between County State Aid Highway 42 And 147th Street In Apple Valley, County Projects 99-014 And P00145

Motion: Mary Hamann-Roland

Second: William Droste

WHEREAS, to promote a safe and efficient transportation system, Dakota County is partnering with the City of Apple Valley (City) on County Projects (CP) 99-014 and P00145; and

WHEREAS, P00145 will design and construct a portion of the North Creek Greenway, including a pedestrian tunnel underneath County State Aid Highway (CSAH) 42; and

WHEREAS, CP 99-014 will design and construct Multiuse trail on CSAH 42 between Flagstaff Avenue and CSAH 31; and

WHEREAS, Dakota County is the lead agency for both projects; and

WHEREAS, design for both projects was suspended in 2021 due to uncertainty on project schedule and changes to the project area due to mining activities; and

WHEREAS, Dakota County and the City have cooperated with AVR, Inc., to plan future work on both projects; and

WHEREAS, both projects are now able to proceed with final design and construction over the next several years.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute a contract with LHB, Inc. for engineering services to advance the design and construction of County Projects 99-014 and P00145; and

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

Expense

Consulting Services for County Project P00145 \$243,943.41

Total Expense **\$243,943.41**

Revenue

Transportation Sales and Use Tax \$243,943.41

Total Revenue **\$243,941.41**

This item was approved and recommended for action by the Board of Commissioners on 4/23/2024.

Ayes: 7

4.5 Award Of Bid And Authorization To Execute Contract With Ebert Inc. For Lebanon Hills Park Education And Accessibility Improvements Project And Amend 2024 Parks Capital Improvement Program Budget

Motion: Mary Hamann-Roland

Second: William Droste

WHEREAS, the Lebanon Hills Park Education & Accessibility Improvements Project (#2000075) has been a recent focus for Parks Enhancement Set-Aside projects and was authorized in design by Resolution No. 23-479 (October 17, 2023); and

WHEREAS, bid document and specifications were prepared by County staff and WSB Associates; and

WHEREAS, two competitive bids were received on March 14, 2024; and

WHEREAS, Ebert Inc. has submitted the low bid of \$537,000.00; 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 \$537,000.00 for the Lebanon Hills Park Education & Accessibility Improvements Project (#2000075); and

WHEREAS, funding for the project is within the 2023 and 2024 Parks 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 Lebanon Hills Park Education & Accessibility Improvements Project to Ebert Inc., 23350 County Road 10, PO Box 97, Loretto, MN 55357, in an amount not to exceed \$537,000.00, subject to approval by the County Attorney’s office as to form; and

BE IT FURTHER RESOLVED, That the 2024 Parks Capital Improvement Program budget be amended as follows:

Expense	
LHRP Education & Accessibility Improvements (2000075)	<u>\$100,000</u>
Total Expense	\$100,000
Revenue	
Parks Enhancement Set-Aside (1000657)	<u>\$100,000</u>
Total Revenue	\$100,000

This item was approved and recommended for action by the Board of Commissioners on 4/23/2024.

Ayes: 7

4.6 Authorization To Reject All Bids For Law Enforcement Center Locker And Wellness Room Renovations Project

Motion: Mary Hamann-Roland

Second: William Droste

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

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

WHEREAS, four competitive bids were received on March 21, 2024; and

WHEREAS, the received bids exceed the available construction budget; and

WHEREAS, staff will work to reformulate and rebid the work to a better outcome in the future.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the rejection of all bids received March 21, 2024, for the Law Enforcement Center Locker And Wellness Room Renovations project in Hastings, MN.

This item was approved and recommended for action by the Board of Commissioners on 4/23/2024.

Ayes: 7

4.7 Authorization To Execute Contract With Landbridge Ecological For Lebanon Hills Regional Park Prairie Vegetation Management

Motion: Mary Hamann-Roland

Second: William Droste

WHEREAS, by Resolution No. 17-274 (May 23, 2017), the County Board adopted the Dakota County Natural Resource Management System Plan (NRMSP); and

WHEREAS, the NRMSP identifies the need to maintain restored areas perpetually to protect the initial investment made to restore the area; and

WHEREAS, on March 14, 2024, the County issued a Request for Quotes (RFQ) for the Lebanon Hills Regional Park Prairie Vegetation Management project; and

WHEREAS, Landbridge Ecological submitted the lowest responsive and responsible quote for base tasks; and

WHEREAS, the RFQ stipulated that the initial contract term would expire on May 31, 2025; and

WHEREAS, the RFQ stipulated that the contract could be extended for up to

one additional 12-month term through May 31, 2026; and

WHEREAS, the RFQ stipulated that the total contract amount would be set up as not to exceed \$175,000; and

WHEREAS, adequate funds are available within the 2024 Adopted Parks Natural Resources Base Fund Budget; and

WHEREAS, staff recommends executing the contract with Landbridge Ecological.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute a contract with Landbridge Ecological for the Lebanon Hills Regional Park Prairie Vegetation Management project to manage natural areas of Lebanon Hills Regional Park through May 31, 2025, with the option to extend the contract through May 31, 2026, in a total amount not to exceed \$175,000, 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 4/23/2024.

Ayes: 7

4.8 Update On Planning Commission

Motion: Mary Hamann-Roland

Second: William Droste

Information only: no action requested.

Ayes: 7

4.9 Authorization To Execute Joint Powers Agreement With Dakota County Regional Railroad Authority And Authorization To Amend 2024 Capital Improvement Programs And Budget

Motion: Mary Hamann-Roland

Second: William Droste

WHEREAS, the 2024 Dakota County Capital Improvement Program (CIP) and Budget includes County Projects 42-170, 88-24, and 2000332 (Projects); and

WHEREAS, the Projects plan or construct improvements to highway and greenway crossings of railroads; and

WHEREAS, the Projects are eligible for inclusion in the 2024 Dakota County Regional Railroad Authority (Authority), CIP, and Budget because they improve railroad safety; and

WHEREAS, at the February 27, 2024, Authority meeting, members requested adding eligible rail safety projects to the 2024 Authority CIP and Budget to better align available funding resources with eligible projects; and

WHEREAS, a budget amendment is required to remove these three projects from the 2024 Dakota County CIP and Budget; and

WHEREAS, a joint powers agreement is required between Dakota County and the Authority to define staff roles and responsibilities as well as cost share for the Projects.

NOW, THEREFORE BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute a joint powers agreement with the Dakota County Regional Railroad Authority for County Projects 42-170, 88-24, and 2000332 that improve safety of rail crossings at Dakota County highways and greenways; and

BE IT FURTHER RESOLVED, That the 2024 Dakota County Parks Capital Improvement Program and Budget is hereby amended as follows:

Revenue	
TAA (2000332)	(\$127,500)
ELF (2000332)	(\$22,500)
Regional Rail(2000332)	<u>\$150,000</u>
Total Revenue	\$0

; and

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

Revenue	
SUT (CP 42-170)	(\$125,000)
Regional Rail (CP 42-170)	\$125,000
SUT (CP 88-24)	(\$452,719)
Regional Rail (CP 88-24)	<u>\$452,719</u>
Total Revenue	\$0

This item was approved and recommended for action by the Board of Commissioners on 4/23/2024.

Ayes: 7

4.10 Authorization To Approve Letters Of Support To Minnesota Department Of Transportation For Interstate 494 E-ZPass Project For Pursuit Of Federal Discretionary Grant Funding

Motion: Mary Hamann-Roland

Second: William Droste

WHEREAS, the Minnesota Department of Transportation (MnDOT) is pursuing federal discretionary grant funding for the critical portions of the Interstate 494 (I-494) E-ZPass Airport to Highway 169 Vision Project; and

WHEREAS, the USDOT is requesting project submittals for Congestion Relief

Program; and

WHEREAS, other possible federal discretionary grant funding sources, such as the Multimodal Projects Discretionary Grant Program, may develop as possible funding sources that are applicable to this project, this authorization would allow the county engineer to provide letters of support for other possible federal discretionary grant funding sources; and

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

WHEREAS, project submittals for the Congestion Relief Program are due on April 18, 2024.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the County Engineer to submit letters of support for the Minnesota Department of Transportation's Interstate 494 E-ZPass Project for their pursuit of federal discretionary grant funding for the Congestion Relief Program and other federal funding sources that may arise, such as the Multimodal Projects Discretionary Grant Program.

This item was approved and recommended for action by the Board of Commissioners on 4/23/2024.

Ayes: 7

4.11 Authorization To Execute Joint Powers Agreement With City Of Lakeville And Amend 2024 Transportation Capital Improvement Program Budget For Trail Gaps, County Projects 23-86 And 09-66

Motion: Mary Hamann-Roland

Second: William Droste

WHEREAS, to promote a safe and efficient multi-modal transportation system, the County is partnering with the City of Lakeville to design and construct multi-use trails along County State Aid Highway (CSAH) 23 (Cedar Avenue) and CSAH 09 (Dodd Boulevard), County Projects 23-86 and 09-66; and

WHEREAS, the City of Lakeville is the lead agency for design and construction of the Projects and will incorporate them into its City Wide Trail Gap Improvement Project; and

WHEREAS, costs for design and construction will be shared 85 percent County funds and 15 percent City funds for trail segments along County Highways in accordance with adopted County Cost Share Policy F1 Roadway; and

WHEREAS, a joint powers agreement with the City of Lakeville is needed to define project responsibilities and cost share for County Projects 23-86 and 09-66; and

WHEREAS, a budget amendment is needed to add sufficient funds to County

Projects 23-86 and 09-66.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute a joint powers agreement with the City of Lakeville to identify costs and responsibilities in accordance with County policy for design and construction of multi-use trails along County State Aid Highway 23 and County State Aid Highway 9 in the City of Lakeville, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the 2023 Transportation Capital Improvement Program is hereby amended as follows:

Expense	
CP 23-86 (2000029)	\$222,750
CP 9-66 (2000161)	\$105,000
Trail Gap Set aside (1000045)	<u>(\$100,000)</u>
Total Expense	\$227,750
Revenue	
Transp. Fund Balance CP 23-86	\$222,750
Transp. Fund Balance CP 9-66	\$5,000
County Funds CP 9-66	\$100,000
County Funds (Trail Gap Set aside)	<u>(\$100,000)</u>
Total Revenue	\$227,750

This item was approved and recommended for action by the Board of Commissioners on 4/23/2024.

Ayes: 7

4.12 Authorization To Execute Contract With SRF Consulting Group, Inc. For Professional Services To Design Interchange Improvements At County State Aid Highway 50 And Interstate 35 In City Of Lakeville And To Accept Local Road Improvement Program Grant Agreement Funds From Minnesota Department Of Transportation, County Project 50-33

Motion: Mary Hamann-Roland Second: William Droste

WHEREAS, to provide a safe and efficient transportation system, Dakota County is proceeding with County Project (CP) 50-33; and

WHEREAS, CP 50-33 includes the preliminary engineering design of improvements at the interchange of County State Aid Highway 50 (CSAH 50) and Interstate 35 (I-35) in Lakeville; and

WHEREAS, the Transportation Department sent a Request for Proposal (RFP) to qualified professional consultants; and

WHEREAS, the five proposals received were evaluated by County, City, and

Minnesota Department of Transportation (MnDOT) staff; and

WHEREAS, the proposal from SRF Consulting Group, Inc. provided the best value costs for the proposed preliminary design contract and accounted for all the services needed; and

WHEREAS, the Adopted 2024 Transportation Capital Improvement Program Budget includes sufficient funding for CP 50-33 preliminary engineering consulting services; and

WHEREAS, the County Engineer recommends execution of a contract with SRF Consulting Group, Inc. for engineering consulting services for CP 50-33 for actual costs not to exceed \$1,466,232; and

WHEREAS, City and MnDOT staff concur with this recommendation; and

WHEREAS, MnDOT has authorized Dakota County to advance the Project using Local Road Improvement Program (LRIP) Grant funds, which will reimburse Dakota County for the contract costs; and

WHEREAS, MnDOT has established a Grant Agreement number and a State Aid Project number for the project; and

WHEREAS, the amount of the LRIP grant funding available has been determined to be sufficient to cover the entire preliminary engineering design contract, and

WHEREAS, MnDOT requires a Dakota County Board Resolution to fully authorize execution of the LRIP Grant Agreement.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute a contract with SRF Consulting Group, Inc. to perform engineering consulting services for County Project 50-33 in an amount not to exceed \$1,466,232, 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 County Engineer/Transportation Division Director to execute the grant agreement and any amendments thereto with the Commissioner of Transportation concerning the above-referenced grant up to the amount of the contract, \$1,466,232; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby
Agrees to the terms and conditions of the grant consistent with Minnesota Statutes, section 174.52, and will pay additional amount by which the cost exceeds the estimate and will return to the Local Road Improvement Program

Fund any amount appropriated for the project but not required.

This item was approved and recommended for action by the Board of Commissioners on 4/23/2024.

Ayes: 7

5. Regular Agenda

5.1 Discussion And Direction On Permitting License Plate Readers In County Right Of Way

Sheriff Joe Leko, Todd Howard, Assistant County Engineer, Eagan Police Detective Jacob Coulson, and Kyle Whyte, Flock Safety Territory Sales Manager presented this topic and stood for questions.

Following the committee's discussion, staff has been instructed to move forward with the right of way permit process and explore the possibility of a memorandum of understanding with the City of Eagan.

Information only; no action requested

5.2 Direction On State-Required Dakota County Solid Waste Management Plan Revision

Renee Burman, environmental Initiatives Supervisor, and Nikki Stewart, Environmental Resources Department Director, presented this item and responded to questions. The Committee confirmed the current county solid waste vision statement and reviewed the potential policy changes and potential strategies for inclusion in the new plan. Staff were instructed to revise the proposed policy on environmental Justice Areas of Concern (Policy 9) to more clearly identify the intent: to engage under served communities throughout the county. The committee concurred with the staff recommendation to seek public input on nine potential strategies and to remove eleven (11) potential strategies from consideration. In addition, the committee requested that staff investigate and provide information to the committee on the potential cost of implementing the various optional strategies that will be part of the public engagement process.

Information only; no action requested.

5.3 Discussion On Preliminary 2025 Draft Parks And Greenways And Environmental Resources Capital Improvement Programs

Nikki Stewart, Environmental Resources Director, and Niki Geisler, Parks Director, presented this topic and answered questions. The committee reviewed the 2025 Capital Improvement Program for Environmental Resources and did not suggest any additions or corrections to staff.

The committee reviewed the Parks Department's 2025 Capital Improvement Program and suggested that staff consider adding funds to plan a connector trail through Lebanon Hills Regional Park. In addition to this discussion, the

committee asked staff to establish a refresh schedule for park buildings similar to the one currently used for the library system.

Information only; no action requested.

5.4 Discussion And Direction On Parks, Greenways, And Natural Systems 2050 Vision For Great Places And Interim 2017 Visitor Service Plan Goal Targets

Niki Geisler, Parks Director, and Lil Leatham, Principal Planner, presented this topic and responded to questions. Beth Landahl, Visitor Services Manager, was also in the audience and spoke to this item.

Staff presented numerous potential 2050 Vision Plan Priorities for committee consideration. The Committee requested that staff provide cost estimates for the proposed additional priorities as the planning process moves forward and to consider the potential changes to the current cost recovery model to help fund those priorities and in how services are delivered (contractor vs county staff), where applicable. The committee recommended that staff consider and explore potential partnerships to expand the park and greenway network into underserved areas in Dakota County. Staff were also asked to provide an assessment of facility rental vacancy rates. The committee also recommended that funding policies, currently outlined under the Vision for Parks Funding, be incorporated into the other vision areas within the plan.

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: Mike Slavik

On a motion by Commissioner Mary Hamann-Roland, seconded by Commissioner Mike Slavik, the meeting was adjourned at 10:52 a.m.

Ayes: 7

Respectfully submitted,
Liz Hansen
Administrative Coordinator

