



Dakota County

Physical Development Committee of the Whole Agenda

Tuesday, September 17, 2024

9:00 AM

Conference Room 3A, Administration
Center, Hastings

If you wish to speak to an agenda item or an item not on the agenda, please notify the Clerk to the Board via email at CountyAdmin@co.dakota.mn.us
Emails must be received by 7:30am on the day of the meeting.
Instructions on how to participate will be sent to anyone interested.

1. Call To Order And Roll Call

Note: Any action taken by this Committee of the Whole constitutes a recommendation to the County Board.

2. Audience

Anyone in the audience wishing to address the Committee on an item not on the Agenda or an item on the Consent Agenda may send comments to CountyAdmin@co.dakota.mn.us and instructions will be given to participate during the meeting. Verbal comments are limited to five minutes.

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

4. Consent Agenda

- 4.1 Approval Of Minutes Of Meeting Held On August 20, 2024
- 4.2 *Environmental Resources* - Authorization To Amend Joint Powers Agreement With City of Mendota Heights To Operate Residential Organics Drop-Off Site
- 4.3 *Environmental Resources* - Authorization To Execute Household Hazardous Waste Inter-County Reciprocal Use Agreement
- 4.4 *Environmental Resources* - Authorization To Execute A Joint Powers Agreement With City Of Lakeville And Vermillion River Watershed Joint Powers Organization For Launch Park Wetland Restoration Preliminary Engineering Design And Permitting Coordination
- 4.5 *Parks, Facilities, and Fleet Management* - Authorization To Execute Third Contract Amendment With Ebert, Inc. dba Ebert Companies For Law Enforcement Center Integrative Health Unit Addition

- 4.6 *Physical Development Administration* - Authorization To Execute Joint Powers Agreement With City Of Empire For Statewide Health Improvement Partnership Funding For A Pedestrian And Bicycle Plan
- 4.7 *Physical Development Administration* - Update On Planning Commission
- 4.8 *Transportation* - Authorization To Submit Bridge Priority List To Minnesota Department Of Transportation
- 4.9 *Transportation* - Authorization To Execute Detour Agreement No. 1057489 With Minnesota Department Of Transportation For Trunk Highway 316

5. Regular Agenda

- 5.1 *Parks, Facilities, and Fleet Management* - Approval Of Schematic Design For Wentworth Library Renovation
- 5.2 *Parks, Facilities, and Fleet Management* - Approval Of Schematic Design For Law Enforcement Center Boiler And Chiller Replacement Project
- 5.3 *Physical Development Administration* - Authorization To Submit Comments On Imagine 2050 Policy Plans To Metropolitan Council
- 5.4 *Transportation* - Discussion On Transit In Dakota County
- 5.5 *Transportation* - Discussion Of State Trunk Highway 13 Funding
- 5.6 *Communications* - Establish New Official Name For Mendota-Lebanon Hills Greenway

6. Physical Development Director's Report

7. Future Agenda Items

8. Adjournment

- 8.1 Adjournment

For more information please call 952-891-7000.

Physical Development agendas are available online at

<https://www.co.dakota.mn.us/Government/BoardMeetings/Pages/default.aspx>

Public Comment can be sent to CountyAdmin@co.dakota.mn.us



Physical Development Committee of the Whole

Request for Board Action

Item Number: DC-3776

Agenda #: 4.1

Meeting Date: 9/17/2024

Approval Of Minutes Of Meeting Held On August 20, 2024



Dakota County

Physical Development Committee of the Whole

Minutes

Tuesday, August 20, 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 William Droste Commissioner Liz Workman Chairperson Mary Liz Holberg Commissioner Mary Hamann-Roland
Absent	Commissioner Laurie Halverson

Also in attendance were Tom Novak, Interim County Manager; Lucie O'Neill, Attorney\Civil; 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: Mike Slavik

Second: William Droste

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

Ayes: 6

4. Consent Agenda

On a motion by Commissioner Hamann-Roland, seconded by Commissioner Slavik, the consent agenda was approved as follows:

4.1 Approval Of Minutes Of Meeting Held On July 23, 2024

Motion: Mary Hamann-Roland

Second: Mike Slavik

Ayes: 6

4.2 Scheduling Of Public Hearing For Program Year 2023 Consolidated Annual Performance And Evaluation Report

Motion: Mary Hamann-Roland

Second: Mike Slavik

WHEREAS, the Dakota County Community Development Agency (CDA) administers the Community Development Block Grant (CDBG), HOME Investment Partnerships (HOME), and Emergency Solutions Grant (ESG) Programs on behalf of Dakota County as the grantee; and

WHEREAS, the CDBG, HOME, and ESG Programs are guided by federal regulations, the Five-Year Consolidated Plan that outlines Dakota County's strategies and objectives, and the Annual Action Plan that serves as the annual planning document allocating CDBG, HOME, and ESG funds to local governments and housing providers via approved activities; and

WHEREAS, the federal government requires submission of a year-end report, the Consolidated Annual Performance and Evaluation Report (CAPER), to be submitted to the U.S. Department of Housing and Urban Development (HUD) no later than 90 days after the end of the program year; and

WHEREAS, the CAPER is an evaluation of the prior program year, detailing financial expenditures, persons assisted, and activity outcomes; and

WHEREAS, the CAPER must be available for citizens to comment on before its submission to HUD; and

WHEREAS, the draft CAPER report will be made available to the public on the CDA and Dakota County websites, and the public may request written copies of the CAPER by contacting the CDA at its offices at 1228 Town Centre Drive, Eagan, Minnesota; and

WHEREAS, CDA and County staff recommend scheduling a public hearing on September 24, 2024, on or after 9:00 a.m. at the Dakota County Administration Center in Hastings regarding the Program Year 2023 CAPER.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby schedules a public hearing on September 24, 2024, at 9:00 a.m. in the Board Room, Administration Center, 1590 Highway 55, Hastings, Minnesota, to receive comments on the Program Year 2023 Consolidated Annual Performance and Evaluation Report; and

BE IT FURTHER RESOLVED, That the staff of Dakota County is hereby authorized and directed to coordinate with Dakota County Community Development Agency staff to publish a notice notifying the public of the

comment period and public hearing in the *Star Tribune* and post said notice on the Dakota County Community Development Agency website at www.dakotacda.org <<http://www.dakotacda.org>>.

This item was approved and recommended for action by the Board of Commissioners on 8/27/2024.

Ayes: 6

4.3 Approval Of Schematic Design For Spring Lake Park Reserve Fischer Avenue Trailhead And Amendment of 2024 Parks Capital Improvement Program Budget

Motion: Mary Hamann-Roland

Second: Mike Slavik

WHEREAS, the 2023-2027 Park Capital Improvement Program (CIP) Adopted Budget includes a project to design and construct a trailhead along Fischer Avenue within Spring Lake Park Reserve; and

WHEREAS, since April 2024, staff has worked with a design team led by Miller Dunwiddie Architecture, Inc. to progress the design and related review process; and

WHEREAS, during consultation, the Tribal Historical Preservation Office requested a section of regional trail be relocated in the future so that the two bison paddocks can be combined into one large one; and

WHEREAS, during National Environmental Policy Action review, the site was shifted further east from its previously proposed location to avoid substantial delay and missing federal funding deadlines; and

WHEREAS, a public open house was held in person on May 30, 2024, and project materials were published online for public comments; and

WHEREAS, staff recommends that the County Board approve the schematic design as presented by County staff on August 20, 2024.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the design for the Spring Lake Park Reserve Fischer Avenue Trailhead project as presented at the Physical Development Committee of the Whole on August 20, 2024.

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

Expense:

SLPR Fischer Avenue Trailhead (2000237)	\$2,615,783
SLPR Master Plan Improvements (1000637)	<u>(\$2,615,783)</u>
Total Expense	\$0

Revenue:

SLPR Fischer Avenue Trailhead (2000237) - State Bonds	\$2,615,783
SLPR Master Plan Improvements (1000637) - State Bonds	<u>(\$2,615,783)</u>
Total Revenue	\$0

This item was approved and recommended for action by the Board of Commissioners on 8/27/2024.

Ayes: 6

4.4 Authorization To Donate And Transfer Four Bison To Minnesota Department Of Natural Resources

Motion: Mary Hamann-Roland

Second: Mike Slavik

WHEREAS, by Resolution No. 20-571 (November 17, 2020), the Dakota County Board approved the design for the bison range project and authorized a contract amendment to retain WSB Associates for the completion of design services through the full delivery of the project; and

WHEREAS, with all the required infrastructure in place, eight bison cows were reintroduced to Spring Lake Park Reserve in the fall of 2022 at no cost to the County; and

WHEREAS, Dakota County joined the Minnesota Bison Conservation Herd (MBCH), the goal of which is to establish a statewide bison herd of 500 animals to ensure the herd's long-term sustainability; and

WHEREAS, Dakota County's bison are a part of the statewide herd; and

WHEREAS, seven of those first bison came from Minnesota State Parks and one came from the Zollman Zoo; and

WHEREAS, four male calves were born in the spring of 2023, and they will be approaching breeding age in 2025; and

WHEREAS, to prevent the possible mating with familial females in the herd and to help keep the Minnesota Bison Conservation Herd (MBCH) genetically healthy, these four males must be removed from the Dakota County herd during the fall of 2024; and

WHEREAS, the Dakota County Board has the authority to transfer the bison to another public corporation under Minn. Stat. § 471.85, which states, "Any county, city, town, or school district may transfer its personal property for a nominal or without consideration to another public corporation for public use when duly authorized by its governing body"; and

WHEREAS, staff recommends that Dakota County transfer/donate the four male bison to the Minnesota Department of Natural Resources (DNR) during the fall 2024 bison management day; and

WHEREAS, the DNR will work with the Tonka Fund and/or the Intertribal Bison Council to provide excess bison from the MBCH, including Dakota County's four male bison, to an Indigenous nation or community for their use; and

WHEREAS, at this time, a bull may be transferred to Spring Lake Park Reserve to breed with the females in the herd, assisting the MBCH in growing and adding important genetic material to the Statewide herd.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the donation and transfer of four male bison to the Minnesota Department of Natural Resources in fall 2024.

This item was approved and recommended for action by the Board of Commissioners on 8/27/2024.

Ayes: 6

4.5 Authorization To Execute Agreement With And Accept Grant Funds From Minnesota Department Of Agriculture And Authorization To Execute Joint Powers Agreement With Scott County And Washington County For South Metro Private Well Pesticide Mitigation Program

Motion: Mary Hamann-Roland

Second: Mike Slavik

WHEREAS, the Minnesota Department of Agriculture (MDA) and Dakota County have identified private drinking water wells in Dakota, Scott, and Washington Counties that have exceeded the Minnesota Department of Health-established Health Risk Limits (HRL) for total cyanazine; and

WHEREAS, in response to these elevated levels, MDA is providing Dakota County \$161,200 to establish a South Metro Private Well Pesticide Mitigation Program; and

WHEREAS, Dakota County will act as the fiscal lead agency to receive funding and will reimburse Scott and Washington Counties for expenditures per the joint powers agreement; and

WHEREAS, the grant's scope includes funding to provide 100 percent cost share for the purchase and installation of point-of-use reverse osmosis water treatment systems to private drinking water wells in Dakota, Scott, and Washington Counties that have elevated pesticide concentrations above the HRL and staff time to implement the Programs.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the execution of the Minnesota Department of Agriculture grant agreement and the acceptance of the grant funds to implement the South Metro Private Well Pesticide Mitigation Program; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Division Director to enter into a

joint powers agreement with Scott and Washington Counties, substantially as presented to the Physical Development Committee of the Whole on August 20, 2024, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the 2024 Environmental Resources Department Operations Budget is hereby amended as follows:

Expense

Reimbursement for private well mitigation \$161,200

Total Expense **\$161,200**

Revenue

State MDA Funding \$161,200

Total Revenue **\$161,200**

This item was approved and recommended for action by the Board of Commissioners on 8/27/2024.

Ayes: 6

- 4.6** Authorization To Execute First Contract Amendment With WSB LLC, Amend 2024 Transportation Capital Improvement Program Budget, And Execute Joint Powers Agreements With City Of Apple Valley For County State Aid Highway 42 Federal Mill And Overlay In Apple Valley, County Project 42-172

Motion: Mary Hamann-Roland

Second: Mike Slavik

WHEREAS, Dakota County is proceeding with County Project (CP) 42-172, the County State Aid Highway (CSAH) 42 federal mill and overlay, Americans with Disabilities Act (ADA) improvements, and signal replacement project in the city of Apple Valley; and

WHEREAS, the purpose and need for the project is to preserve the paved highway surface and improve safety, multi-modal mobility, and traffic operations on CSAH 42; and

WHEREAS, the 2024 Transportation Capital Improvement Program (CIP) Adopted Budget includes \$450,000 for CP 42-172; 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 WSB LLC to perform preliminary and final design engineering consulting services for a total contract amount of \$352,535; and

WHEREAS, CP 42-172 is being split into two phases. Phase I, CP 42-172, will contain the ADA improvements, mill and overlay, and extension of west-bound right turn lane at Cedar Avenue and left turn lane Garrett Avenue, and Phase II, CP 42-177, will consist of the signal systems at Garrett Avenue and Garrett Avenue improvements and a signal system at Pilot Knob Road (CSAH 31); and

WHEREAS, the cost of the additional out-of-scope and unforeseen work tasks and professional services to be performed by WSB LLC is \$31,200 for CP 42-172 and \$120,000 for CP 42-177 for a new contract amount not to exceed \$513,735 to complete the final design, right-of-way acquisition, and environmental review for CP 42-172 and CP 42-177; and

WHEREAS, the 2024 Transportation CIP Adopted Budget requires an amendment to proceed with the first contract amendment for CP 42-172; and

WHEREAS, the 2024 Transportation CIP Adopted Budget requires an amendment to split the CP 42-172 and create a new project CP 42-177 budget; and

WHEREAS, staff recommends authorization to execute joint powers agreements with the City of Apple Valley to define construction, maintenance operation responsibilities for CP 42-172 and for CP 42-177; and

WHEREAS, engineering, right of way, and construction costs will be shared between Dakota County and the City of Apple Valley in accordance with the adopted County policy; and

WHEREAS, the County Engineer recommends executing the first contract amendment with WSB LLC; and

WHEREAS, the County Engineer recommends amending the 2024 Transportation CIP budget; and

WHEREAS, the County Engineer recommends executing joint powers agreements with the City of Apple Valley.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to amend the contract value of \$352,535 with WSB LLC, to add an amount of \$161,200 for a total contract amount not to exceed \$513,735, including reimbursables, and execute joint powers agreements with the City of Apple Valley subject to approval by the County Attorney's Office as to form; and

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

Expense

County Project 42-172	\$41,200
County Project 42-177	<u>\$120,000</u>
Total Expense	\$161,200

Revenue

City of Apple Valley County Project 42-172	\$10,000
--------------------------------------------	----------

City of Apple Valley County Project 42-177	\$60,000
Transportation Fund Balance County Project 42-172	\$31,200
Transportation Fund Balance County Project 42-177	<u>\$60,000</u>
Total Revenue	\$161,200

This item was approved and recommended for action by the Board of Commissioners on 8/27/2024.

Ayes: 6

4.7 Authorization To Execute Joint Powers Agreement With City Of Burnsville For Traffic Signal Replacement At County State Aid Highway 5 And Southcross Drive, County Project 5-58

Motion: Mary Hamann-Roland

Second: Mike Slavik

WHEREAS, to promote a safe and efficient transportation system, Dakota County is proceeding with County Project (CP) 5-58; and

WHEREAS, the traffic signal is owned and operated by Dakota County; and

WHEREAS, the existing traffic signal system is justified and continues to be the right measure for intersection control to address traffic volumes and operations at this intersection; and

WHEREAS, the County is the lead agency for County Project (CP) 5-58 to replace the aging signal system at County Road 5 and Southcross Drive; and

WHEREAS, CP 5-58 is a signal replacement project, which will include the installation of flashing yellow arrow indications, new Americans with Disabilities Act approved pedestrian ramps, and pedestrian pushbuttons; and

WHEREAS, Dakota County is partnering with the City of Burnsville for CP 5-58; and

WHEREAS, a joint powers agreement with the City of Lakeville is necessary to define County and City design, construction, and cost participation for CP 5-58; and

WHEREAS, County and City engineering and construction costs for CP 5-58 will be in accordance with adopted Cost Share Policy F.4 Cost Participation - Traffic Signal, with County's cost-share 50 percent and City's cost share 50 percent; and

WHEREAS, CP 5-58 is included in the 2025 Draft Transportation Capital Improvement Program; and

WHEREAS, County and City maintenance, operation, and energy cost responsibilities will remain as identified in Traffic Signal Agreement 90-04, by Resolution No. 90-352 (April 24, 1990).

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 Burnsville to proceed with County Project 5-58 for traffic signal replacement at the intersection of County Road 5 and Southcross Drive, 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 8/27/2024.

Ayes: 6

5. Regular Agenda

There were no regular items for this meeting.

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 9:02 a.m.

Ayes: 6

Respectfully submitted,
Liz Hansen
Administrative Coordinator



Physical Development Committee of the Whole

Request for Board Action

Item Number: DC-3568

Agenda #: 4.2

Meeting Date: 9/17/2024

DEPARTMENT: Environmental Resources

FILE TYPE: Consent Action

TITLE

Authorization To Amend Joint Powers Agreement With City of Mendota Heights To Operate Residential Organics Drop-Off Site

PURPOSE/ACTION REQUESTED

Authorize execution of an amendment to the joint powers agreement (JPA) with the City of Mendota Heights for continued operations at the residential organics drop-off site located at Mendakota Park (Attachment: JPA Amendment).

SUMMARY

Metropolitan counties are responsible for waste management policy and programs (Minn. Stat. § 115A.551). By Resolution No.18-493 (September 18, 2018), the Dakota County Board of Commissioners adopted the 2018-2038 Solid Waste Master Plan (County Waste Plan). The County Waste Plan includes a strategy to expand opportunities for residential organics recovery and a tactic to co-develop and provide assistance for residential organics drop-off sites with municipalities.

Dakota County receives funds from the State of Minnesota to implement landfill abatement programs, and the County is required to expend a portion of State-allocated Select Committee on Recycling and the Environment (SCORE) funds on organics programming (Minn. Stat. § 115A.557). Using allocated SCORE funds, residential organics drop-off sites have been successfully implemented with over 10,900 registered participants at 11 locations throughout the County.

Dakota County and the City of Mendota Heights executed a JPA in 2021 for a six-year period ending December 31, 2027, to operate a residential organics drop-off site at Mendakota Park, 2171 Dodd Road, Mendota Heights. The JPA provides for reimbursement to the City of Mendota Heights for recurring compostable bag costs and hauler organics hauling and tip fees.

Operational costs at the drop-off site have increased over projected costs when the JPA was executed. Increases include:

- Participation increased by five percent, up to 832 households.
- Weekly volumes of organics collected increased by 33 percent.
- Hauler collection fees increased by 95 percent due to increased collection frequency (from once a week to twice a week) to accommodate service needs, up to \$5,113 annually.
- Compostable bag costs increased by 45 percent up to \$3,234 annually.

An amendment to the JPA is necessary to account for the increased costs over the contract period. Amending the JPA requires County Board approval. The existing amount in the JPA for

reimbursement to Mendota Heights for drop site operations is \$28,500. The proposed \$29,000 JPA amendment will increase the authority to \$57,500 over the six-year term (Attachment: Allocated JPA Funding).

RECOMMENDATION

Staff recommends executing an amendment to the JPA with the City of Mendota Heights in the amount of \$29,000, for a maximum amount of \$57,500 over the six-year term, for continued operations of the residential organics drop-off site at Mendakota Park.

EXPLANATION OF FISCAL/FTE IMPACTS

Dakota County's total share of the cost of the JPA with the amendment is estimated to be \$57,500. The 2024 Environmental Resources Operating Budget includes sufficient funds to provide the County's organics drop-off program, which is funded by SCORE.

- | | | |
|----------------------------------------------|----------------------------------------------------|-----------------------------------------------|
| <input type="checkbox"/> None | <input checked="" type="checkbox"/> Current budget | <input type="checkbox"/> Other |
| <input type="checkbox"/> Amendment Requested | | <input type="checkbox"/> New FTE(s) requested |

RESOLUTION

WHEREAS, Minn. Stat. § 471.59 authorizes local governmental units to jointly or cooperatively exercise any power common to the contracting parties; and

WHEREAS, Dakota County and the City of Mendota Heights are governmental units as that term is defined in Minn. Stat. § 471.59; and

WHEREAS, Metropolitan counties are responsible for waste management policy and programs (Minn. Stat. § 115A.551); and

WHEREAS, by Resolution No. 18-493 (September 18, 2018), the Dakota County Board of Commissioners adopted the 2018-2038 Solid Waste Master Plan (County Waste Plan); and

WHEREAS, the County Waste Plan includes a strategy to expand opportunities for residential organics recovery; and

WHEREAS, the County Waste Plan includes a tactic to co-develop and provide assistance for residential organics drop-off sites with municipalities; and

WHEREAS, by Resolution No. 21-264 (May 18, 2021), Dakota County and the City of Mendota Heights executed a joint powers agreement (JPA) to operate a residential organics drop-off site until December 31, 2027; and

WHEREAS, the County receives Select Committee on Recycling and the Environment (SCORE) funds from the State to implement landfill abatement programs; and

WHEREAS, Minn. Stat. § 115A.557 requires the County to expand a portion of the State-allocated SCORE funds on organics programming; and

WHEREAS, allocated SCORE funds are used for residential organics drop-off sites at 11 locations

throughout the County; and

WHEREAS, due to several factors, including increased costs for compostable bags and organics hauling, a JPA amendment is necessary to account for increased costs over the JPA term; and

WHEREAS, the original JPA with the City of Mendota Heights was signed for \$28,500; and

WHEREAS, the proposed amendment to the JPA in the amount of \$29,000 requires County Board approval and will bring the JPA maximum to a total of \$57,500 over the six-year term; and

WHEREAS, staff recommends executing an amendment to the existing JPA with the City of Mendota Heights for continued operations at the residential organics drop-off site through December 31, 2027, for a maximum amount of \$57,500; and

WHEREAS, the 2024 Environmental Resources Operating Budget includes sufficient funding to provide the County's organics drop-off program, which is funded by SCORE.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Environmental Resources Department Director to execute an amendment to the joint powers agreement with the City of Mendota Heights for residential organics drop-site operations through December 31, 2027, in an amount not to exceed \$57,500 for the total joint powers agreement, subject to the approval of the County Attorney's Office to form.

PREVIOUS BOARD ACTION

21-264; 05/18/21

18-493; 09/18/18

ATTACHMENTS

Attachment: JPA Amendment

Attachment: Allocated JPA Funding

BOARD GOALS

☐ A Great Place to Live

☒ A Healthy Environment

☐ A Successful Place for Business and Jobs

☐ Excellence in Public Service

CONTACT

Department Head: Nikki Stewart

Author: Renee Burman

**FIRST AMENDMENT TO
JOINT POWERS AGREEMENT
BETWEEN THE COUNTY OF DAKOTA AND
THE CITY OF MENDOTA HEIGHTS
TO OPERATE A RESIDENTIAL ORGANICS DROP-OFF SITE**

WHEREAS, effective June 1, 2021, the County of Dakota (County) and City of Mendota Heights (“Municipality”) entered into a JOINT POWERS AGREEMENT (“JPA”) for the operation of a residential organics drop-off site.

WHEREAS, the parties desire to amend the JPA to provide for additional reimbursement funding for the Municipality in response to increased costs in operating the drop-off site during the term of the JPA; and

WHEREAS, the JPA provides that any amendments shall be valid only when expressed in writing and duly signed authorized representatives of both parties.

NOW, THEREFORE, in consideration of the mutual covenants contained herein the parties agree as follows:

1. To amend Section 6.1 Funding Amount to increase the allocated reimbursement funding for the Municipality by \$29,000.00, for a total amount not to exceed **\$57,500.00** as set forth in Exhibit 1.
2. To amend Exhibit 1 as follows:

Exhibit 1
Allocated Funds
Six (6) – Year Term

Anticipated reimbursement amount for the City of Mendota Heights Organics Drop-Off Site

Total Anticipated Reimbursement Amount

Hauling - Collection and Composting Fees	\$33,303
Compostable Bags – Participant Use	\$24,197
Total Reimbursement Amount	\$57,500

3. All other terms of the JPA between the County and City shall remain in full force and effect unless otherwise amended or terminated in accordance with law or the terms of the Contract.
4. In any case where this Amendment conflicts with the original JPA, this Amendment shall govern.

Remainder of this page intentionally left blank. Signature page follows.

DAKOTA COUNTY

Nikki Stewart, Director
Environmental Resources Department
Date of Signature: _____

CITY OF MENDOTA HEIGHTS

Stephanie Levine, Mayor
City of Mendota Heights
Date of Signature: _____

Attest: _____
Nancy Bauer, City Clerk
City of Mendota Heights
Date of Signature: _____

APPROVED AS TO FORM:

Assistant County Attorney Date
KS-2020-00485-001

COUNTY BOARD RESOLUTION

No. _____ Date: _____

Joint Powers Agreement Amendment Allocated Funds

Six (6) – Year Term

Anticipated reimbursement amount for the City of Mendota Heights Organics Drop-Off Site

Anticipated Reimbursement Amount

	Original JPA Allocation	Amendment Increase	Amended JPA Allocation
Hauling – Collection and Composting Fees (6 Years)	\$15,130	\$18,173	\$33,303
Compostable Bags – Participant Use (6 years)	\$13,370	\$10,827	\$24,197
Total Reimbursement Amount	\$28,500	\$29,000	\$57,500



Physical Development Committee of the Whole

Request for Board Action

Item Number: DC-3618

Agenda #: 4.3

Meeting Date: 9/17/2024

DEPARTMENT: Environmental Resources

FILE TYPE: Consent Action

TITLE

Authorization To Execute Household Hazardous Waste Inter-County Reciprocal Use Agreement

PURPOSE/ACTION REQUESTED

Authorize the County Board Chair to execute a Household Hazardous Waste (HHW) Inter-County Reciprocal Use Agreement (Agreement) (Attachment: Household Hazardous Waste Metropolitan Inter-County Reciprocal Use Agreement) between Dakota County and each of the six other metropolitan counties (Anoka, Carver, Hennepin, Ramsey, Scott, and Washington) through December 31, 2029.

SUMMARY

Each Minnesota County provides residential HHW management programs to protect public health, surface water, and groundwater by removing HHW from the solid waste stream. Since 1991, the counties of Dakota, Anoka, Carver, Hennepin, Ramsey, Scott (joined in 2020), and Washington have executed Agreements to allow residents to use the most convenient HHW management facility and not be restricted to using only their own resident county's facility.

To recover the cost of collection and disposal of HHW to the extent possible, the Agreement establishes a flat fee based on the overall average cost per participant for the last five years. The costs have stayed fairly consistent over time and is being adjusted from the current \$35 per participant to \$34 based on a slight decrease in the average cost.

Proposed Agreement Terms

Proposed terms for the new Agreement have been negotiated through the metropolitan counties, and staff recommends that each county board execute new Agreements to include the following terms:

- Execute a five-year Agreement term, from January 1, 2025, through December 31, 2029
- Maintain a consistent flat per-vehicle fee of \$34 for each year of the Agreement
- Encourage free product reuse at facilities
- Continue to require a 180-day notice from a county that wishes to withdraw

RECOMMENDATION

Staff recommends authorizing the County Board Chair to execute the HHW Inter-County Reciprocal Use Agreement with each metro county.

EXPLANATION OF FISCAL/FTE IMPACTS

The Environmental Resources Department (ERD) budget includes funds to operate the HHW program and accounts for reciprocity revenue and expenses. A flat fee per vehicle is paid annually to a receiving county for each origin-county vehicle served that delivered program waste. Since 2014, Dakota County has had more non-county residents use the Recycling Zone than County residents that used other metropolitan HHW management facilities, resulting in a net income for Dakota County. In 2023, Dakota County paid \$36,820 (1,052 vehicles) for Dakota County residents who used other metropolitan HHW management facilities and received \$68,565 (1,959 vehicles) from non-residents using The Recycling Zone. Dakota County's actual program waste cost is approximately \$26 per vehicle. All fees collected are used to offset the County's costs to manage the HHW program, so no additional funds will be needed.

☐ None ☒ Current budget ☐ Other
☐ Amendment Requested ☐ New FTE(s) requested

RESOLUTION

WHEREAS, by Resolution No. 18-493 (September 18, 2018), the Dakota County Board of Commissioners approved the 2018-2038 Regional/Dakota County Solid Waste Master Plan (Master Plan); and

WHEREAS, as part of the Master Plan, the Dakota County Board of Commissioners encourages residents and businesses to properly manage hazardous wastes and recyclables to protect public health, surface water, and groundwater; and

WHEREAS, Dakota, Anoka, Carver, Hennepin, Ramsey, Scott, and Washington Counties each provide a household hazardous waste (HHW) management program for their residents; and

WHEREAS, the Dakota County Board of Commissioners desires to maintain a significant public service whereby County residents may use HHW management facilities in any of the metro counties; and

WHEREAS, the Dakota County Board of Commissioners wishes to recover the cost of collection and disposal of HHW to the extent possible; and

WHEREAS, the metro-county negotiated terms for an HHW metropolitan inter-county reciprocal use agreement (Agreement); and

WHEREAS, the Agreement authorizes monetary transfers between counties to compensate each county for residents delivering HHW to sites in other counties; and

WHEREAS, the Agreement terms include a five-year term, from January 1, 2025, through December 31, 2029; a flat annual per-vehicle service fee each year of the Agreement; encouraging product reuse at no cost to residents; and continuing to require a 180-day notice from a county that wishes to withdraw.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the County Board Chair to execute the Household Hazardous Waste Metropolitan Inter-County Reciprocal Use Agreement with each metro county to allow residents to use facilities, as substantially presented to the Physical Development Committee of the Whole on September 17,

2024, subject to approval by the County Attorney's Office as to form.

PREVIOUS BOARD ACTION

19-72; 9/24/19

18-493; 9/18/18

ATTACHMENTS

Attachment: Household Hazardous Waste Metropolitan Inter-County Reciprocal Use Agreement

BOARD GOALS

☐ A Great Place to Live

☒ A Healthy Environment

☐ A Successful Place for Business and Jobs

☐ Excellence in Public Service

CONTACT

Department Head: Nikki Stewart

Author: Dave Magnuson

Household Hazardous Waste Metropolitan Inter-County Reciprocal Use Agreement

This Agreement (“Agreement”) is between Anoka County, Carver County, Dakota County, Hennepin County, Ramsey County, Scott County, and Washington County, through their respective Board of Commissioners, (hereinafter jointly referred to as the “Counties”).

A. RECITALS

WHEREAS, each County provides a Household Hazardous Waste management program for its residents; and

WHEREAS, it is recognized that there is a regional benefit derived from increasing the availability of Management Facilities for Household Hazardous Waste by allowing reciprocal use of Management Facilities; and

WHEREAS, the Counties desire to create a mechanism whereby residents of the Counties may use Management Facilities in any of the Counties; and

WHEREAS, the Counties work collaboratively towards a common vision and shared waste management goals as a region of metropolitan counties; and

WHEREAS, in 2002, the Minnesota Legislature passed Minn. Stat. § 115A.96, subd. 7, indemnifying counties for claims arising out of the transportation and disposal of waste managed in accordance with the State of Minnesota Agreement for the Operation of a Household Hazardous Waste Program; and

WHEREAS, the Counties wish to establish a mechanism for allowing for the reciprocal use of their Management Facilities and providing for the payment of costs incurred by the Counties receiving Household Hazardous Waste from residents of the other Counties.

The parties therefore agree as follows:

B. AGREEMENT

1. Term of Agreement

1.1 Effective Date:

January 01, 2025

1.2 Expiration Date:

December 31, 2029, unless earlier terminated by law or in accordance with Section 11 of the Agreement.

2. Definitions

Terms as used in this Agreement shall have the following meanings:

2.1 **Authorized Facility or Authorized Facilities.** A facility or facilities authorized by the State to store, blend, treat, reclaim, recycle, incinerate, or dispose of Program Waste in accordance with the contract between the County and the State of Minnesota, hereinafter referred to as the State of Minnesota Agreement for the Operation of a Household Hazardous Waste Program.

2.2 **County.** Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, or Washington Counties.

2.3 **County of Origin.** The County whose residents generated and delivered Program Wastes to a Management Facility in another County.

2.4 **EPA or MPCA Permitted Facility.** A facility that is permitted by the EPA or MPCA to transfer, store, process, or dispose of Program Waste to be delivered under this Agreement.

2.5 **Household Hazardous Waste (HHW).** Waste as defined in Minn. Stat. § 115A.96, subd. 1, paragraph (b).

2.6 **Management Facility or Management Facilities.** One or more permanent, temporary, mobile, satellite, or event collection sites that accept Program Wastes for proper collection, management and storage. A Management Facility may be publicly or privately owned and/or operated and includes Authorized Facilities and EPA or MPCA Permitted Facilities.

2.7 **Non-Program Waste.** Appliances including microwaves, Recyclables, yard waste, organics, textiles, mattresses, carpet, and tires.

2.8 **Program Waste.** Household quantities of HHW including latex paint, electronics, household sharps, used oil/filters, fluorescent and HID lamps, LED light bulbs, compressed gas cylinders, fire extinguishers, household batteries, used automotive fluids including oil and antifreeze.

2.9 **Receiving County.** The County with a Management Facility that received Program Wastes from a resident of another County.

2.10 **Recyclables.** Cardboard, paper/paper shredding, glass, tin, aluminum, plastic, scrap metal, plastic bags, containers/cartons.

2.11 **Regional Per Vehicle Fee.** The fee charged by all counties pursuant to Section 4.3.

2.14 State of Minnesota Agreement for the Operation of a Household Hazardous Waste Program. The contract between each County and the State of Minnesota for the operation of a Household Hazardous Waste Program (as amended).

3. Reciprocal Use

3.1 A resident of any of the Counties may use a Management Facility in any of the Counties. A Regional Per Vehicle Fee cannot be charged for a vehicle solely delivering Non-Program Waste.

3.2 Each County shall comply with the requirements as set forth in the State of Minnesota Agreement for the Operation of a Household Hazardous Waste Program.

3.3 Each County shall provide a HHW management program meeting the requirements of Minnesota Statutes §§ 473.804 and 115A.96.

3.4 In the event a Management Facility provides a section for reuse of products, such products shall be available without charge to residents of all Counties.

4. Payment

4.1 Each County of Origin whose residents use a Management Facility to deliver Program Waste in another County shall pay to that Receiving County a Regional Per Vehicle Fee for each vehicle served.

4.2 The Receiving County shall invoice the County of Origin prior to January 31 of each year for activity occurring in the previous year. The invoice shall provide supporting documentation and specify the number of vehicles from the County of Origin using the Receiving County's Management Facility; the Regional Per Vehicle Fee charged per vehicle; and the total amount due. The County of Origin shall pay the Receiving Counties' invoices by February 15 of the year following service. At the request of the County of Origin, the Receiving County shall provide the following supporting documentation for each vehicle served: the street address of the participant using the facility, the name of the site visited, and the date of the visit. The documentation shall be provided in electronic form.

4.3 The Regional Per Vehicle Fee for the term of this Agreement shall be \$34. This figure was calculated using an average of the previous five years' collection of Regional fees and accounts for minor cost inflation.

4.4 On or before April 30, July 31, and October 31 of each year; and January 31 for year end during the term of this Agreement, Receiving Counties shall send electronic

notice to each County of Origin of the number of vehicles from the County of Origin using the Receiving County's Management Facility in the previous quarter and year-to-date and supporting documentation as specified in Section 4.2.

5. Records

Each County shall maintain financial and other records and accounts in accordance with requirements of the State of Minnesota. Each County shall maintain strict accountability of all funds and maintain records of all receipts and disbursements.

6. Audit/Access to Management Facilities

Each County shall allow the other Counties and the State of Minnesota pursuant to Minn. Stat. § 16C.05, subd. 5, including the Legislative Auditor or the State Auditor, access to its records at reasonable hours, including all books, records, documents, and accounting procedures and practices relevant to the subject matter of this Agreement, for purposes of audit. In addition, each County shall have access to the Management Facilities at reasonable hours.

7. Compliance With Requirements of the Law

In performing the provisions of this Agreement, each County agrees to comply with all applicable Federal, State or local laws, ordinances, rules and regulations.

8. Non-Discrimination

No County shall exclude any person from full employment rights nor prohibit participation in or the benefits of any program, service or activity herein on the grounds of any protected status or class, including but not limited to race, creed, color, religion, sex, gender expression, gender identity, marital status, public assistance status, sexual orientation, disability, age, or national origin, No person who is protected by applicable law against discrimination shall be subjected to discrimination.

9. Entire Agreement

This Agreement constitutes the entire Agreement of the parties and which supersedes all oral and written agreements and negotiations between the parties relating to this subject matter.

10. Amendments

Except as otherwise provided in this Agreement; any amendments, alterations, variations, modifications, or waivers of this Agreement shall be valid only when they have been reduced to writing and duly signed by the Counties.

11. Termination

This Agreement shall terminate under the following circumstances:

11.1 By mutual written agreement of all Counties; or

11.2 When necessitated by law or as a result of a decision by a court of competent jurisdiction.

12. Withdrawal/Effect of Withdrawal

A County may withdraw from this Agreement by providing 180 days written notice to other Counties. In the event of withdrawal of any County, this Agreement shall remain in effect as to all remaining Counties. Withdrawal shall not act to discharge any liability incurred by any County before the effective date of withdrawal, including payments or credits due to other Counties. Such liability shall continue until appropriately discharged by law or agreement. If a County withdraws, its residents may not use Management Facilities in other Counties nor will it be paid by the County of Origin for use of the withdrawing County's Management Facilities if it accepts Program Waste from the other Counties after the effective date of the withdrawal, under the terms and conditions of this Agreement.

13. Effect of Termination

Termination shall not discharge any liability, responsibility, or right created or incurred by the Counties and shall not affect the obligations set forth in Section 4, 5 and 14 herein which shall continue in full force and effect. Each party to this Agreement shall be liable for its own acts to the extent provided for by law.

14. Liability/Indemnification Among the Counties

14.1 General Indemnification. Liability of the Counties under this Agreement shall be governed by Minn. Stat. § 471.59, subd. 1a and each County therefore agrees that it will

assume liability for itself, its agents, employees, and contractors for any injury to persons or property resulting in any manner from the conduct of its own operations, and operations of its agents, employees or contractors. For the purposes of determining total liability for damages, the Counties are considered as a single governmental unit and the total liability for the Counties shall not exceed the limits for a single governmental unit as specified in Minn. Stat. § 466.04. Each County shall defend, indemnify and hold harmless each of the other Counties for all liability, obligations, claims, loss and expense, including reasonable attorneys and other professional fees, resulting from its acts or omissions, or the acts or omissions of its agents, employees or contractors. This indemnification does not extend beyond each County's liability insurance coverage for any activity covered by Minn. Stat. § 115A.96 subd. 7.

14.2 Environmental Impairment Claims. Notwithstanding anything in Section 14.1 of this agreement, it is the intention of the Counties that the Receiving County shall assume all liability under the federal Comprehensive Environmental Response, Compensation and Liability Act, the Minnesota Environmental Response and Liability Act, or any similar statute, and all other liabilities resulting from actual or threatened impairment of the environment (hereinafter "Superfund Liability") resulting from the operation of the Receiving County's Management Facility. The Receiving County shall defend, indemnify and hold harmless each County of Origin pursuant to Section 14.1 for any Superfund Liability resulting from the Receiving County's Management Facility.

15. Counterparts

This Agreement shall be executed in two or more counterparts, each of which shall be deemed an original, but all of which shall constitute one and the same instrument.

16. Survival

Sections 4, 5, and 14 of this Agreement shall survive termination or expiration of this Agreement or the services or duties to be performed hereunder.



Physical Development Committee of the Whole

Request for Board Action

Item Number: DC-3698

Agenda #: 4.4

Meeting Date: 9/17/2024

DEPARTMENT: Environmental Resources

FILE TYPE: Consent Action

TITLE

Authorization To Execute A Joint Powers Agreement With City Of Lakeville And Vermillion River Watershed Joint Powers Organization For Launch Park Wetland Restoration Preliminary Engineering Design And Permitting Coordination

PURPOSE/ACTION REQUESTED

Authorize the execution of a joint powers agreement (JPA) with the City of Lakeville and the Vermillion River Watershed Joint Powers Organization (VRWJPO) for preliminary engineering design and permitting coordination in support of the Launch Park Wetland Restoration project.

SUMMARY

In 2023, during the 220th Street and Galway Lane extension, the City of Lakeville acquired property within the Launch Park Development adjacent to the road construction area. The property was acquired with the intent of converting it from agricultural production to restored wetlands to reduce sediment loading and runoff volume to the South Creek Subwatershed.

By completing the preliminary engineering design and permitting coordination (Project), VRWJPO, the City of Lakeville, and Dakota County staff will be prepared for the implementation of the Launch Park Wetland Restoration, pending approval of Dakota County's 2025 Environmental Resources Capital Improvement Project (CIP) Plan.

The Minnesota Pollution Control Agency (MPCA) regulates public entities that own or operate a storm sewer conveyance system through the Municipal Separate Storm Sewer System General Permit (MS4 Permit). Dakota County, as a regulated holder of an MS4 Permit, must annually report activities completed to reduce pollutant loading in accordance with completed Total Maximum Daily Load (TMDL) studies. By partnering to complete design and permitting coordination in support of the future Launch Park Wetland Restoration Project, Dakota County will be able to utilize pollutant reduction credits in accordance with its TMDL Waste Load Allocations.

Additionally, this project aligns with the City of Lakeville's Water and Natural Resources Management Plan and supports action items identified within the Vermillion River Watershed Management Plan. The Vermillion River Watershed Management Plan initiatives are listed below:

- Identify and implement sediment reduction and/or volume reduction best management practices (BMPs) within publicly owned lands in the South Creek Subwatershed near South Creek Waterbody ID 527 (Goal A)

- Work with partners to protect and restore wetlands through revegetations for flood protection and pollutant filtration (Goal F)
- Identify and implement sediment-reducing BMPs within the highest sediment-yielding subwatersheds (Goal G)

The City's consultant has submitted a proposal for preliminary engineering and permitting coordination in support of the wetland restoration. Staff request approval of a draft JPA to develop site plans, specifications, cost estimates, and coordinate agency review for future implementation.

RECOMMENDATION

Staff recommends authorization to execute the JPA between Dakota County, the City of Lakeville, and the VRWJPO.

EXPLANATION OF FISCAL/FTE IMPACTS

Dakota County will contribute \$13,000 towards the Launch Park Wetland Restoration project for preliminary engineering and permitting coordination, through Dakota County's 2024 Environmental Resources CIP. The City of Lakeville and the VRWJPO will contribute \$11,875, respectively.

- | | | |
|----------------------------------------------|----------------------------------------------------|-----------------------------------------------|
| <input type="checkbox"/> None | <input checked="" type="checkbox"/> Current budget | <input type="checkbox"/> Other |
| <input type="checkbox"/> Amendment Requested | | <input type="checkbox"/> New FTE(s) requested |

RESOLUTION

WHEREAS, South Creek is included in the Environmental Protection Agency's 303d Impaired Waters List for Total Suspended Solids (TSS); and

WHEREAS, the City of Lakeville acquired land previously in agricultural production with the intent of converting it to wetland to reduce TSS loading in the South Creek Subwatershed in accordance with the City's Water and Natural Resources Management Plan; and

WHEREAS, Dakota County must annually report on pollutant reductions achieved by the implementation of best management practices (BMPs) in accordance with their Municipal Separate Storm Sewer System General Permit; and

WHEREAS, implementation of the Launch Park Wetland Restoration project will result in stormwater volume attenuation as well as total phosphorus and total suspended solids pollutant reductions; and

WHEREAS, the Vermillion River Watershed Management Plan includes: implementing sediment reduction and/or volume reduction BMPs within publicly owned lands in the South Creek subwatershed near South Creek Waterbody ID 527 (Goal A), working with partners to protect and restore wetlands through revegetations for flood protection and pollutant filtration (Goal F); and implementing sediment-reducing BMPs within the highest sediment-yielding subwatersheds (Goal G); and

WHEREAS, prior to implementation, preliminary engineering design and permitting coordination in support of the Launch Park Wetland Restoration must be completed; and

WHEREAS, the Vermillion River Watershed Joint Powers Organization, County, and City have

agreed to cooperatively participate in the Project and have funding available in their respective budgets to jointly participate in the costs.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners authorizes its Chair to execute a joint powers agreement with the Vermillion River Watershed Joint Powers Organization and the City of Lakeville for the Launch Park Wetland Restoration project preliminary engineering design and permitting coordination.

PREVIOUS BOARD ACTION

None.

ATTACHMENTS

Attachment: Draft JPA with Dakota County, Vernillion River Watershed Joint Powers Organization and City of Lakeville for Launch Park Wetland Prelim Engineering and Permitting

BOARD GOALS

- | | |
|-------------------------------------------------------------------|-----------------------------------------------------------|
| <input type="checkbox"/> A Great Place to Live | <input checked="" type="checkbox"/> A Healthy Environment |
| <input type="checkbox"/> A Successful Place for Business and Jobs | <input type="checkbox"/> Excellence in Public Service |

CONTACT

Department Head: Nikki Stewart

Author: Cole Johnson

**JOINT POWERS AGREEMENT
BETWEEN THE VERMILLION RIVER WATERSHED JOINT POWERS ORGANIZATION,
THE COUNTY OF DAKOTA AND THE CITY OF LAKEVILLE
FOR THE LAUNCH PARK WETLAND RESTORATION PROJECT PRELIMINARY ENGINEERING
DESIGN AND PERMITTING COORDINATION**

WHEREAS, Minn. Stat. § 471.59 authorizes local governmental units to jointly or cooperatively exercise any power common to the contracting parties; and

WHEREAS, the Vermillion River Watershed Joint Powers Organization is a watershed management body consisting of Dakota and Scott Counties (VRWJPO) governed by the Vermillion River Watershed Joint Powers Board (VRWJPB) and is charged with carrying out the duties set forth in Minn. Stat. § 103B.211 to 103B.255 and as otherwise provided by law; and

WHEREAS, the County of Dakota (County) is a governmental and political subdivision of the State of Minnesota; and

WHEREAS, the City of Lakeville (City) is a governmental and political subdivision of the State of Minnesota; and

WHEREAS, South Creek (AUID 07040001-517) is located within the Vermillion River Watershed and Dakota County and is included in the EPA's 303d Impaired Waters List for Total Suspended Solids (TSS); and

WHEREAS, the Vermillion River Watershed Restoration and Protection Strategy (WRAPS) Report includes the implementation of sediment reduction and/or volume reduction Best Management Practices within publicly owned lands in the South Creek subwatershed to reduce TSS loading in the Vermillion River; and

WHEREAS, the Vermillion River Watershed Management Plan includes working with partners to restore wetlands through revegetation for flood protection and pollutant filtration; and

WHEREAS, the City acquired Outlot D, Airlake 70 First Addition (Parcel), previously in agricultural production, that drains to South Creek; and

WHEREAS, prior to City's implementation of sediment reduction and/or volume reduction practices within the Parcel, a wetland restoration design and applicable permitting through State agencies must be completed (Project); and

WHEREAS, the City has entered into a contract with an engineering consultant to provide the wetland restoration design, including construction plans and specifications, and obtain applicable permitting necessary for the Project (City Project 24-60); and

WHEREAS, the total contract amount for the services to be provided by the City's consultant for wetland restoration design and applicable permitting for City Project 24-60 is \$36,750 (Project Cost); and

WHEREAS, the VRWJPO, County, and City have agreed to cooperatively participate in the Project and have funding available in their respective budgets to jointly participate in the Project Cost.

NOW, THEREFORE, in consideration of the mutual promises and benefits that the VRWJPO, County, and City shall derive from this Agreement, the VRWJPO, County, and City hereby enter into this Agreement for the purposes stated herein.

ARTICLE 1 PURPOSE

This Agreement defines the Project responsibilities and Project cost-sharing obligations of the VRWJPO, County, and City.

ARTICLE 2 PARTIES

The parties to this Agreement are the VRWJPO, County, and City.

ARTICLE 3 TERM

This Agreement is effective upon the date of the signatures of the parties to this Agreement and shall remain in effect until December 31, 2025, or until completion by the parties of their respective obligations under this Agreement, whichever occurs first, unless earlier terminated by law or according to the provisions of this Agreement.

ARTICLE 4 COOPERATION

The VRWJPO, County, and City agree to cooperate and use their reasonable efforts to ensure prompt implementation of the various provisions of this Agreement and to, in good faith, undertake resolution of any dispute in an equitable and timely manner.

ARTICLE 5 PROJECT PLANS

The City is the lead agency for administration of the Project, effective upon execution of this Agreement by all parties. The VRWJPO, County, and City shall approve all wetland restoration design plans and specifications (Project Plans) provided pursuant to the Project prior to any restoration activities occurring on the Parcel.

ARTICLE 6 PAYMENT

6.1 The parties shall make the following contributions toward the Project Cost in accordance with the following payment schedule in consideration of the benefit provided by restoration activities on the Parcel in accordance with the Project Plans. The City will administer the consultant contract for the Project and act as the paying agent for all payments to the consultant.

6.1.1 The County, by and through its Environmental Resources Department, shall contribute \$13,000 toward the Project Cost.

6.1.2 The City shall contribute \$11,875 toward the Project Cost.

6.1.3 The VRWJPO shall contribute \$11,875 toward the Project Cost.

6.2 The City's maximum eligible reimbursement is up to \$24,875 when accounting for the VRWJPO and County contributions.

6.3 No payment shall be made prior to approval of the Project Plans by the VRWJPO, County, and City, and execution of this Agreement.

6.4 The VRWJPO and County shall pay the City their share of the Project Cost on a reimbursement basis up to the maximum amounts identified in Sections 6.1.1 and 6.1.3. The City shall invoice the County and VRWJPO for their share of Project Costs once the Project Plans are approved by the parties. The VRWJPO and County shall make payment to the City within thirty-five (35) days of receipt of an invoice from the City provided the invoice shall be supported by itemized Project receipts and invoices from the City's contracted consultant.

6.5 The VRWJPO and County may refuse to pay an invoice for services or fees not specifically authorized by this Agreement. Payment of an invoice shall not preclude the VRWJPO and County from questioning the propriety of the claimed services or fees. The VRWJPO and County reserve the right to be repaid for any overpayment or disallowed claimed services or fees.

ARTICLE 7 OBLIGATIONS

7.1 AUTHORIZED PURPOSE. The funds provided under the terms of this Agreement may only be used by the City for the payment of costs directly related to the Project.

7.2 CONTENT REQUIREMENTS. The Project shall be carried out according to the objectives outlined in the City's contract with its consultant. The VRWJPO, County, and City shall approve any modifications to the scope of the Project.

7.3 COMPLIANCE WITH LAWS/STANDARDS. The City shall abide by all federal, state, or local laws, statutes, ordinances, rules, and regulations in executing the Project.

ARTICLE 8 INDEMNIFICATION

Each party to this Agreement shall be liable for the acts of its officers, employees or agents and the results thereof to the extent authorized by law and shall not be responsible for the acts of the other parties, or officers, employees or agents or the other parties. The City agrees to defend, indemnify, and hold harmless the County and VRWJPO against any and all claims, liability, loss, damage, or expense arising under the provisions of this Agreement for which the City is responsible, including negligent acts or omissions of the City and/or those of City employees or agents. All Parties to this Agreement recognize that liability for any claims arising under this Agreement are subject to the provisions of the Minnesota Municipal Tort Claims Law; Minnesota Statutes, Chapter 466. The City warrants that it can comply with the aforementioned indemnity requirements through an insurance or self-insurance program and that it has minimum coverage consistent with liability limits contained in Minn. Stat. Ch. 466. In the event of any claims or actions filed against any party, nothing in this Agreement shall be construed to allow a claimant to obtain separate judgments or separate liability caps from the individual parties. This section shall survive the expiration or termination of this Agreement.

ARTICLE 9 AUTHORIZED REPRESENTATIVES AND LIAISONS

9.1 AUTHORIZED REPRESENTATIVES. The following named persons are designated the authorized representatives of the parties for this Agreement. These persons have authority to bind the party they represent and to consent to modifications, except that the authorized representative shall have only the authority specifically or generally granted by their respective governing boards. Notice required to be provided pursuant to this Agreement shall be made to the following named persons and addresses unless otherwise stated in this Agreement, or an amendment of this Agreement:

TO THE VRWJPO: Mike Slavik or successor, Chair
Vermillion River Watershed Joint Powers Organization
4100 220th St. W #103
Farmington, MN 55024

Telephone: (651) 438-4427
mike.slavik@co.dakota.mn.us

TO THE COUNTY: Joe Atkins, Chair, or successor
Dakota County Board of Commissioners
1590 Highway 55
Hastings, MN 55033
Telephone: (651) 438-4430
joe.atkins@co.dakota.mn.us

TO THE CITY: Justin Miller, City Administrator, or successor
City of Lakeville
20195 Holyoke Avenue
Lakeville, MN 55044
Telephone: (952) 985-4400
jmiller@lakevillemn.gov

In addition, notification to the VRWJPO and County regarding termination of this Agreement by the City shall be provided to the Office of the Dakota County Attorney, Civil Division, 1560 Highway 55, Hastings, MN 55033.

9.2 LIAISONS. To assist the parties in the day-to-day performance of this Agreement and to ensure compliance and provide ongoing consultation, a liaison shall be designated by the VRWJPO, County and City. The VRWJPO, County, and City shall keep each other continually informed, in writing, of any change in the designated liaison. At the time of execution of this Agreement, the following persons are the designated liaisons:

VRWJPO Liaison: Kelly Perrine
Senior Watershed Specialist
Telephone: (952) 891-7002
Email: kelly.perrine@co.dakota.mn.us

County Liaison: Cole Johnson
Water Resources Project Supervisor
Telephone: (952) 891-7539
Email: cole.johnson@co.dakota.mn.us

City Liaison: McKenzie Cafferty
Environmental Resources Manager
Telephone: (952) 985-4520
Email: mcafferty@lakevillemn.gov

ARTICLE 10 MODIFICATIONS

Any alterations, variations, modifications, or waivers of the provisions of this Agreement shall only be valid when they have been reduced to writing, approved by the parties' respective Boards, or as delegated by the parties' respective Boards, and signed by the Authorized Representatives, or delegated authority, of the VRWJPO, County, and City.

ARTICLE 11 TERMINATION

11.1 IN GENERAL. Any party may terminate this Agreement for cause by giving seven days' written notice or without cause by giving 30 days' written notice of its intent to terminate, to the other parties. Such notice to terminate for cause shall specify the circumstances warranting termination of the Agreement. Cause shall mean a material breach of this Agreement and any supplemental agreements or amendments

thereto. This Agreement may also be terminated by any of the parties in the event of a default by one party. Notice of Termination shall be made by certified mail or personal delivery to the authorized representative of the other parties. Termination of this Agreement shall not discharge any liability, responsibility or right of any party, which arises from the performance of or failure to adequately perform the terms of this Agreement prior to the effective date of termination.

11.2 TERMINATION FOR LACK OF FUNDING. Notwithstanding any provision of this Agreement to the contrary, the VRWJPO, County, or City may immediately terminate this Agreement if it does not obtain funding from the Minnesota Legislature, Minnesota Agencies, or other funding sources, or if it's funding cannot be continued at a level sufficient to allow payment of the amounts due under this Agreement. The terminating body shall remain obligated to pay for any invoices received prior to any parties' receipt of written notice of termination for lack of funding. The remaining parties shall determine by majority vote whether to continue this Agreement upon receipt of termination pursuant to this Section 11.2.

ARTICLE 12 MINNESOTA LAW TO GOVERN

This Agreement shall be governed by and construed under the substantive and procedural laws of the State of Minnesota, without giving effect to the principles of conflict of laws. All proceedings related to this Agreement shall be venued in the County of Dakota, State of Minnesota. This section shall survive the expiration or termination of this Agreement.

ARTICLE 13 MERGER

This Agreement is the final expression of the agreement of the parties and the complete and exclusive statement of the terms agreed upon and shall supersede all prior negotiations, understandings, or agreements.

ARTICLE 14 SEVERABILITY

The provisions of this Agreement shall be deemed severable. If any part of this Agreement is rendered void, invalid, or unenforceable, such rendering shall not affect the validity and enforceability of the remainder of this Agreement unless the part or parts that are void, invalid or otherwise unenforceable shall substantially impair the value of the entire Agreement with respect to any party.

ARTICLE 15 GOVERNMENT DATA PRACTICES

The VRWJPO, County, and must comply with the Minnesota Government Data Practices Act, Minn. Stat. Ch. 13, as it applies to all data provided, created, collected, received, stored, used, maintained, or disseminated under this Agreement. The civil remedies of Minn. Stat. § 13.08 apply to the release of the data referred to in this clause by either the VRWJPO, County or City.

ARTICLE 16 SURVIVABILITY

The provisions of Article 8 (Indemnification) and Article 15 (Government Data Practices) survive the expiration or termination of this Agreement.

ARTICLE 17 DEFAULT: FORCE MAJEURE

No party shall be liable to the other parties for any loss or damage resulting from a delay or failure to perform due to unforeseeable acts or events outside the defaulting party's reasonable control, providing the

defaulting party gives notice to the other parties as soon as possible. Acts and events may include acts of God, acts of terrorism, war fire, flood epidemic, pandemic, acts of civil or military authority, and natural disasters.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the date(s) indicated below.

**VERMILLION RIVER WATERSHED
JOINT POWERS ORGANIZATION**

By: _____
Mike Slavik or successor, Chair

Date of Signature: _____

DAKOTA COUNTY

By: _____
Joe Atkins or successor, Chair

Date of Signature: _____

Approved as to form:

Assistant Dakota County Attorney/Date
KS-24-503
VRW Res. No.
County Res. No.

CITY OF LAKEVILLE

By: _____
Luke M. Hellier or successor, Mayor

Date of Signature: _____

By: _____
Ann Orlofsky, City Clerk

Date of Signature: _____



Physical Development Committee of the Whole

Request for Board Action

Item Number: DC-3641

Agenda #: 4.5

Meeting Date: 9/17/2024

DEPARTMENT: Parks, Facilities, and Fleet Management

FILE TYPE: Consent Action

TITLE

Authorization To Execute Third Contract Amendment With Ebert, Inc. dba Ebert Companies For Law Enforcement Center Integrative Health Unit Addition

PURPOSE/ACTION REQUESTED

Authorize execution of a third contract amendment with Ebert, Inc. dba Ebert Companies for the construction of the Law Enforcement Center's (LEC) Integrative Health Unit (IHU) Addition. Board action is required as the value of total amendments after initial authorization of the contract execution exceeds a policy limit of \$250,000.

SUMMARY

The LEC IHU Addition project has been under construction for nearly 12 months. The construction contract was awarded to Ebert Inc. dba Ebert Companies in the sum of \$10,573,800 by Resolution No. 23-379 (August 29, 2023). Two contract amendments have already been executed, which changed the completion date and included \$247,756.03 in increased work. These were executed by way of the original contract authorization limits. There is a third proposed set of changes totaling \$262,392.91, which need Board approval because they exceed the extended limit of the original contract authority. The previously authorized and proposed items are enumerated in the Attachment.

Of the current \$510,148.94 in total changes, \$228,629.09 (roughly 45%) of the items shown in the Attachment were generated by required comments following Minnesota State plan reviews by the Department of Corrections and the Department of Labor and Industry. These reviews usually occur during the design process so that items such as these can be incorporated into the bidding documents. Unfortunately, for this project the reviews took much longer than usual, and the items needed to be incorporated after bidding during construction.

So, in this action staff is requesting a third contract amendment with Ebert Companies in the sum of \$262,392.91 for construction improvements made at the LEC IHU project for County Board authorization. These cost increases to the construction contract will be paid for with reserved funds remaining within the original project budget.

Construction is on schedule to conclude in February 2025. County staff estimates another \$300,000 in changes could arise in the intervening six months. This would be consistent with the percent increase observed on county projects of this size and complexity. Staff will return in the spring of 2025 with a request for the County Board to authorize a fourth and final amendment after the completion of construction when all costs are known. Sufficient funds remain within the original project budget to also cover these future estimated changes.

RECOMMENDATION

A total of \$247,756.03 in contract amendments has already been authorized by way of the initial contract execution. Staff recommends authorizing a third contract amendment with Ebert Companies, in the sum of \$262,392.91 for construction improvements made at the LEC IHU project. This brings the total authorized contract amendments to this contract to \$510,148.94 and the new contract value to \$11,083,948.94.

EXPLANATION OF FISCAL/FTE IMPACTS

Funds totaling \$14,400,000 were included in the earlier adopted Capital Improvement Program budget for the design and construction of the LEC IHU Addition. Sufficient funds within the project (1001292) budget are available for this amendment.

- | | | |
|----------------------------------------------|----------------------------------------------------|-----------------------------------------------|
| <input type="checkbox"/> None | <input checked="" type="checkbox"/> Current budget | <input type="checkbox"/> Other |
| <input type="checkbox"/> Amendment Requested | | <input type="checkbox"/> New FTE(s) requested |

RESOLUTION

WHEREAS, the 2023 Capital Improvement Program (CIP) Adopted Budget as amended for the Law Enforcement Center (LEC) Integrative Health Unit (IHU) Addition project is a total of \$14,400,000; and

WHEREAS, by Resolution No. 23-379 (August 29, 2023), the County Board approved the original contract in the sum of \$10,573,800 with an award to Ebert, Inc., dba Ebert Companies; and

WHEREAS, a first (no cost) contract amendment was formally executed by way of that authorization to establish a construction completion deadline of late-February 2025; and

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

WHEREAS, \$247,756.03 in a second contract amendment has already been formally executed by way of that authorization; and

WHEREAS, an additional \$262,392.91 worth of post-award changes are requested for authorization to complete a third contract amendment to the contract with Ebert Companies; 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 \$510,148.94 for reimbursement of all construction change orders on the project; and

WHEREAS, sufficient funds within the CIP budget for the project (1001292) are available for this amendment.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Facilities Management Director to execute a contract amendment with Ebert, Inc., dba Ebert Companies, 23350 County Road 10, Corcoran, MN 55357 in an amount not to exceed

\$262,392.91 for a maximum contract total not to exceed \$11,083,948.94, subject to approval by the County Attorney's office as to form.

PREVIOUS BOARD ACTION

23-379; 8/29/23

ATTACHMENTS

Attachment: Summary List of Changes for Third Amendment

BOARD GOALS

- | | |
|-------------------------------------------------------------------|------------------------------------------------------------------|
| <input type="checkbox"/> A Great Place to Live | <input type="checkbox"/> A Healthy Environment |
| <input type="checkbox"/> A Successful Place for Business and Jobs | <input checked="" type="checkbox"/> Excellence in Public Service |

CONTACT

Department Head: Mike Lexvold

Author: Mike Wiese

Attachment: Summary List of Changes for Third Amendment with Ebert, Inc. (DCA20837.3)

LEC IHU Addition's Potential Change Order (PCO) Log

Change Document	Description	Change Order Amount	Pending (Third Change Order)	CO #
GCPR-0	Align To GC's Schedule	\$0.00		1
GCPR-1	Change Sewer Piping Material Near Bldg. Per AHJ	\$9,515.50		1
GCPR-2	Soil Corrections & Rock Removal	\$40,226.43		1
GCPR-3	RFI# 045 & 051 M/P Changes	(\$4,364.00)		1
GCPR-5	RFI# 069 -Custom Finish on DW-1 Frames	\$1,102.85		1
GCPR-6	RFI# 069 -Custom Finish on DW- 2 & 3 Frames	\$13,580.00		2
GCPR-7	RFI# 051 - Electrical Wiring to Additional Damper		\$1,883.70	3
GCPR-8	RFI# 078 -Ardex at Trench Drains	\$3,631.70		2
GCPR-9	RFI# 087 - Shift Duct Conflicting w/ Struct. CMU	\$3,512.10		2
GCPR-10	Upcharge for D.O.C.'s PR#10 Detector Cages	\$4,042.25		2
GCPR-11	RFI# 072 - Shift Duct/Piping for Skylight & Ceiling		\$6,426.20	3
GCPR-12	RFI# 081 - Add Integral Base at EPT-3A Floors		\$11,439.26	3
GCPR-13	RFI# 069 -Custom Finish on DW-2 & DW-3 Frames		\$2,990.00	3
001-R	Civil Changes For EV Stalls	\$6,948.27		1
002-R	State Plan Review Changes		\$108,825.25	3
002e	Electrical for State Plan Review Changes	\$42,004.90		2
003-R	DOC Plan Review Changes		\$77,798.94	3
004	Removal of Countertop at Post	(\$755.00)		2
005-R	Electrical Site Changes	\$42,550.00		1
006	In-Wall Insulation Changes & Slab Recess At Courtyard Walls	\$0.00		1
007	Electrical Ground Loop Changes	\$15,071.90		1
008-R	Knock Out Panel	\$9,945.99		1
009	SS Brick Anchors In Lieu Of Galvanized	\$16,730.20		1
010	Cages For Fire Alarm Devices	\$7,130.00		1
011	Door & Hardware Updates	\$19,898.52		2
012	Hardware Changes at 3 Doors	\$3,184.76		2
013	RFI# 050 - master control of water solenoid valves		\$28,758.61	3
014	Add Beams & Piers NE Mechanical Room for Plank	\$29,789.60		2
015	Lower Beam Along .35, Between Grid C.4 & C.5	\$13,311.25		2
016	Plumbing Fixture Changes		\$18,382.75	3
017	Remove all duct smokes at cells	(\$7,597.00)		2
018	RFI# 071- Field Assemble VAV's for 36" Clearance	\$15,755.00		2
019	Add to MH-105 for 1'-0" Lowered Invert	\$5,730.81		2
020	Security Electronics Credits	(\$43,190.00)		2
021	Hallway Ceiling Revisions		(\$3,827.00)	3
022	RFI #89 - Storm drain revisions, gym grilles, & OA dampers		\$8,335.20	3
024	Scupper to Downspout Detail Revisions		\$1,380.00	3
SUBTOTALS:		\$247,756.03	\$262,392.91	

GRAND TOTAL OF CHANGES:

\$510,148.94



Physical Development Committee of the Whole

Request for Board Action

Item Number: DC-3667

Agenda #: 4.6

Meeting Date: 9/17/2024

DEPARTMENT: Physical Development Administration

FILE TYPE: Consent Action

TITLE

Authorization To Execute Joint Powers Agreement With City Of Empire For Statewide Health Improvement Partnership Funding For A Pedestrian And Bicycle Plan

PURPOSE/ACTION REQUESTED

Authorize the execution of a joint powers agreement (JPA) between Dakota County and City of Empire for a pedestrian and bicycle plan.

SUMMARY

By Resolution No. 20-382 (August 18, 2020), the Dakota County Board of Commissioners authorized the Community Services Director to execute a grant agreement with the Minnesota Department of Health (MDH) for the Statewide Health Improvement Partnership (SHIP) and accept future funding for the period of November 1, 2020, through October 31, 2025. The SHIP 2023 work plan includes funding for work in active living.

One of Dakota County's strategies in the SHIP proposal is to implement permanent and sustainable changes that create healthy and active communities by increasing (a) opportunities for non-motorized transportation (walking and biking), (b) healthy eating/access to healthy foods, and (c) health equity. SHIP 2024-2025 funding (\$35,000) was allocated to provide awards to cities and the County to facilitate progress toward these goals. Dakota County cities were invited to submit applications for sub-grant funding for pedestrian and bicycle plans. A 10 percent match (cash or staff time equivalent) is required for grant recipients. Award recipients are reimbursed after work has been completed. Applications were distributed on March 19, 2023, with responses due on June 4, 2024.

The City of Empire submitted an application for \$35,000 for a pedestrian and bicycle plan. The application included the required 10 percent local match. The application was scored on the following criteria: project alignment with SHIP goals for equity, community engagement, benefit to SHIP priority populations, and enduring value.

A review committee with representatives from the County (Planning, Public Health, Transportation), cities, and MDH met on June 11, 2024, to evaluate the proposal. The application exhibited a strong opportunity for increased active living opportunities city-wide that can be implemented with future development. The committee recommends approval of the project.

RECOMMENDATION

Staff recommends authorization to execute a JPA with the City of Empire for \$35,000 for a pedestrian and bicycle plan.

EXPLANATION OF FISCAL/FTE IMPACTS

There are sufficient funds appropriated from SHIP 2024-2025 to Dakota County to fund this project. The JPA with Empire shall contain a provision that allows the County to immediately terminate the contracts in the event funds from County, State, or federal sources are not appropriated to allow payment of amounts due.

☐ None ☒ Current budget ☐ Other
☐ Amendment Requested ☐ New FTE(s) requested

RESOLUTION

WHEREAS, by Resolution No. 20-382 (August 18, 2020), the Dakota County Board of Commissioners authorized the Community Services Director to execute a grant agreement with the Minnesota Department of Health (MDH) for the Statewide Health Improvement Partnership (SHIP) and accept future funding for the period of November 1, 2020, through October 31, 2025; and

WHEREAS, the SHIP 2024-25 work plan includes funding for work in active living; and

WHEREAS, one of Dakota County's strategies in the SHIP proposal is to implement permanent and sustainable changes that create healthy and active communities by increasing (a) opportunities for non-motorized transportation (walking and biking), (b) healthy eating/access to healthy foods, and (c) health equity; and

WHEREAS, SHIP 2024-2025 funding (\$35,000) was allocated to provide awards to cities and the County to facilitate progress toward these goals; and

WHEREAS, Dakota County departments and cities were invited to submit applications for sub-grant funding for pedestrian and bicycle plans; and

WHEREAS, applications were distributed on March 19, 2023, with responses due on June 4, 2024; and

WHEREAS, an application was submitted by the City of Empire for \$35,000 for a pedestrian and bicycle plan, and the application included the required 10 percent local match; and

WHEREAS, the application was scored on the following criteria: project alignment with SHIP goals, equity, community engagement, benefit to SHIP priority populations, and enduring value; and

WHEREAS, a review committee with representatives from the County (Planning, Public Health, Transportation), cities, and MDH met on June 11, 2024, to evaluate the proposal; and

WHEREAS, the application exhibited a strong opportunity for increased active living opportunities city-wide that can be implemented with future development, and the committee recommends approval of the project; and

WHEREAS, staff recommends authorization to execute a joint powers agreement with the City of Empire for \$35,000 for a pedestrian and bicycle plan; and

WHEREAS, there is \$35,000 in SHIP funding available for the project.

NOW, THEREFORE, BE IT RESOLVED, That the Physical Development Director is hereby authorized to execute a joint powers agreement in an amount not to exceed \$35,000 with the City of Empire, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the joint powers agreement shall contain a provision that allows the County to immediately terminate the contracts in the event funds from County, State, or federal sources are not appropriated at a level sufficient to allow payment of the amounts due; and

BE IT FURTHER RESOLVED, That the Physical Development Director is hereby authorized to amend said contract, within the amount budgeted, to alter the number and types of clients served, rates, and types of services provided and the contract term, consistent with County contracting policies, subject to approval by the County Attorney's Office as to form.

PREVIOUS BOARD ACTION

20-382; 8/18/20

ATTACHMENTS

None.

BOARD GOALS

- | | |
|-------------------------------------------------------------------|-----------------------------------------------------------|
| <input checked="" type="checkbox"/> A Great Place to Live | <input checked="" type="checkbox"/> A Healthy Environment |
| <input type="checkbox"/> A Successful Place for Business and Jobs | <input type="checkbox"/> Excellence in Public Service |

CONTACT

Department Head: Erin Stwora

Author: Lillian Leatham



Physical Development Committee of the Whole

Request for Board Action

Item Number: DC-3651

Agenda #: 4.7

Meeting Date: 9/17/2024

DEPARTMENT: Physical Development Administration

FILE TYPE: Consent Information

TITLE

Update On Planning Commission

PURPOSE/ACTION REQUESTED

Receive an update on the Planning Commission.

SUMMARY

The Dakota County Planning Commission met on August 22nd, 2024. The Planning Commission addressed the following issues:

Update on the Parks Capital Improvement Program

The Planning Commission received an update on the projects that are currently included in the draft 2025-2029 CIP for the overall Dakota County Parks and Greenways system.

Thompson County Park Tour

The Planning Commission toured recent and proposed Thompson County Park improvements.

RECOMMENDATION

Information only; no action requested.

EXPLANATION OF FISCAL/FTE IMPACTS

None.

- | | | |
|----------------------------------------------|-----------------------------------------------|--------------------------------|
| <input checked="" type="checkbox"/> None | <input type="checkbox"/> Current budget | <input type="checkbox"/> Other |
| <input type="checkbox"/> Amendment Requested | <input type="checkbox"/> New FTE(s) requested | |

RESOLUTION

Information only; no action requested.

PREVIOUS BOARD ACTION

None.

ATTACHMENTS

Attachment: Draft Planning Commission Minutes

BOARD GOALS

☐ A Great Place to Live

☐ A Healthy Environment

☐ A Successful Place for Business and Jobs

☒ Excellence in Public Service

CONTACT

Department Head: Erin Stwora

Author: Kurt Chatfield



Meeting Minutes: Dakota County Planning Commission Advisory Committee Meeting Minutes-DRAFT

Date: 8/22/2024

Minutes prepared by Liz Hansen

Location: Thompson County Park, Dakota Lodge

Attendance

Members Present

- Jerry Rich
- Amy Hunting
- Kelly Kausel
- Dennis Peine
- Lori Hansen
- Jill Smith
- Barry Graham
- Mike Cahn
- Steve Shurts

Dakota County staff members attending:

- Kurt Chatfield, Planning Manager
- Liz Hansen, Administrative Coordinator
- Niki Geisler, Parks Director
- Tony Wotzka, Greenways Manager
- Beth Landahl, Visitor Services Manager

Member(s) Absent:

- Brady Folkestad
- James Guttman
- Tony Nelson

Meeting Called to Order

- Time: 6:15 p.m.
- By Chair, Commissioner Amy Hunting

Pledge of Allegiance

- The Planning Commission opened the meeting by reciting the Pledge of Allegiance.

Public Comments

- Comments/Notes: No audience member wished to address an item not on the agenda.

Approval of Agenda

Chair Hunting asked if there were any changes to the agenda.

The Planning Commission advised no changes, additions, or deletions.

MOTION: Commissioner Hansen moved, seconded by Commissioner Cahn, approving the agenda. Voice vote: Ayes – 9 – Nays – 0 – Unanimously Approved

Approval of Minutes (from May 23, 2024)

Chair Hunting asked if there were any changes to the previous meeting's minutes.

The Planning Commission advised no changes, additions, or deletions.

MOTION: Commissioner Graham moved, seconded by Commissioner Smith, approving the previous meeting's minutes. Voice vote: Ayes – 9 – Nays – 0 Abstain – 0 – Unanimously Approved

Welcome New Planning Commissioner – Stephen Shurts, District 6

Planning Commission Chair Amy Hunting introduced new member Stephen Shurts, representing District 6. Steve is originally from Wisconsin and is a Badger fan. His background is in nuclear and electrical engineering. He is currently retired and enjoys spending time with his grandkids. Steve looks forward to serving on the Planning Commission.

Park Capital Improvement Program Update – Information (Tony Wotzka - Parks)

The Planning Commission received an update on the projects that are currently included in the draft 2025-2029 CIP for the overall Dakota County Parks and Greenways system.

Questions and comments by the Commissioners, along with responses from staff (*italics*):

Is grant writing a separate department or is there a grant writing specialist at Dakota County? *Staff responded that there are a number of people who prepare grants from different departments. Multiple people are needed because grant writing requires subject expertise. The County also uses consultants for some grants depending on the time, effort, and expertise needed for each grant application.*

What is the status of the Lebanon Hills Sustainable Trails study? *Staff responded that Phase 1 of the project will begin in September. A brief update was provided, which included sharing that there will be public engagement during the design process.*

A Commissioner asked about funding levels for the Natural Resource Management Program in the future. There appears to be a reduction in the Capital Improvement Program. *Staff responded that the Natural Resource Management Program is adequately funded for 2025 and beyond. There will not be a reduction in staff or in the resources dedicated to these efforts. Staff shared that the draft CIP only shows one data point at this point in the budget process and that additional detail will be provided throughout the budgeting season to show the financial commitments to Natural Resources.*

Does Dakota County receive outside funds for natural resource restoration and management Projects? *Staff responded that the County receives significant funding for natural resource restoration and is anticipating that it may receive even more funding from the State LCCMR next year based on recent recommendations from the State LCCMR committee. The County Board has discussed the benefits of seeking and receiving external funding, but also that external funds are often less consistent and, therefore, less reliable than other funding sources. The County Board is likely to continue discussing options for reliable and consistent funding for the park system operations and maintenance.*

Property insurance is increasing because of Minnesota's hail storms and climate. Is that part of the operating budget? *Staff responded that Dakota County is self-insured, so it will not need to pay more for private insurance, but nonetheless may need to reserve additional funding to pay for the damages caused by more severe storm events. Staff will follow up with the Capital Facilities Department regarding whether storm damage costs have increased over time.*

How does Dakota County determine how much of the budget should be reserved for improvements to the park system vs. maintenance? Do park plans still show the need for new improvements? *Staff responded that current long-range park plans that have been recommended by the Planning Commission and approved by the County Board still show the options for future improvements. Operations and maintenance costs continue to grow with the growth of the system and staff try to anticipate these expenses along with the capital improvement plans.*

The CIP summary shows significant variability in the amounts set aside for natural resource projects from year to year. Why is that? *Staff responded that the current CIP does not show the funding that was approved and carried over from previous years, and that often funding from previous years is still programmed for future projects. When taking into account funding from previous years, as well as external dollars received, there is less variability in natural resource expenditures from year to year.*

A comment was made that the County Board previously stated that it wanted to accelerate the greenways. *Staff responded that the draft CIP has a number of greenway projects, ranging from design to construction phases. The board will discuss these projects moving forward when the CIP is reviewed and approved.*

Planning Manager Update and County Board Actions

Comments/Notes: Kurt Chatfield, Planning Manager, provided the Planning Commission with an update on the following County Board Actions:

- Discussed 2050 Vision for Parks and Natural Resources – Connected Places
- Reviewed proposed Capital Improvement Plan
- Approved contract for design services for Lebanon Hills sustainable trails improvements
- Approved design for Fischer Avenue Trailhead at Spring Lake Park Reserve

Upcoming Public Meetings – Community Outreach

County Hwy 50 and I-35 Interchange Open House	September 9, 2024 from 4:30pm-6:30pm Celebration Church (16655 Kenyon Ave, Lakeville, MN 55044)
2050 Park Vision Plan Online input	Comments period now through September 22 https://zanassoc.mysocialpinpoint.com/dakota-county-2050-vision-plan
CSAH 73 (Babcock Trail) and Upper 55 th trail design Open House	October 1, from 4:30pm-6:30pm Veterans Memorial Community Center, Inver Grove Heights

Topics for next meeting (Thursday, September 26, 2024)

Kurt Chatfield, Planning Manager, provided an overview of next month's meeting topics:

- Solid Waste Management Plan – consider recommending adoption
- 2050 Park Vision Framework – vision and goals

Planning Commissioner Announcements/Updates:

No updates or announcements were given.

Tour

The Planning Commission went on a walking tour of Thompson County Park. Staff provided an overview of recent improvements, including the Thompson Lake water quality project, ADA loop trail, play area improvements, and programming changes. The Planning Commission discussed how the improvements at Thompson have been received by the changing community. Planning Commission members also discussed the possibility of combining Thompson County Park with Kaposia and Kaposia Landing as a potential new regional park as suggested in the County's Park System Plan adopted in 2008. The tour concluded with the adjournment of the Planning Commission meeting.

Adjournment

Chair Hunting asked for a motion to adjourn.

MOTION: Commissioner Rich moved, seconded by Commissioner Shurts, to adjourn the meeting at 7:52 p.m.

Voice Vote: Ayes – 8 – Nays – 0 – Unanimously Approved.

**Next Meeting: Thursday, September 26, 2024, at 7:00 p.m., Dakota County
Western Service Center, Apple Valley**

Respectfully submitted,

Liz Hansen, Administrative Coordinator



Physical Development Committee of the Whole

Request for Board Action

Item Number: DC-3714

Agenda #: 4.8

Meeting Date: 9/17/2024

DEPARTMENT: Transportation

FILE TYPE: Consent Action

TITLE

Authorization To Submit Bridge Priority List To Minnesota Department Of Transportation

PURPOSE/ACTION REQUESTED

Authorize submission of the bridge priority replacement list to the Minnesota Department of Transportation (MnDOT) for substandard structures within the jurisdiction of the County and townships.

SUMMARY

To provide a safe and efficient transportation system, the County is the lead agency for inspection and replacement of substandard bridges on the County and township road system. Ten bridges (three County and seven township) have been identified as substandard on the County and township road systems and are shown on the attached map (Attachment: Bridge Location Map). Substandard bridges can either be classified as deficient or obsolete. Structurally deficient bridges have deteriorated structural members, typically resulting in bridge load restrictions. Functionally obsolete bridges are generally narrow bridges on higher-volume roadways. Bridges can become functionally obsolete when traffic volumes increase above established levels.

The bridges in Dakota County have been reviewed, and staff has prioritized them based on condition, the time needed for project development, the township's ability to fund its share, and the potential availability of State bridge funding. The proposed list includes bridges that are planned for construction in 2025-2027 as follows:

Construction Year	Agency	Road	Bridge Number
2025	Dakota County	CSAH 85	19504
2025	Marshan Township	205 th St.	L-3249
2025	Hampton/Douglas Townships	Inga Ave.	L-3285
2026	Dakota County	CSAH 31	19512
2026	Castle Rock Township	230 th St.	L-3253
2027	Dakota County	CSAH 54	2951
2027	Castle Rock Township	230 th St.	L-3254
2027	Sciota Township	Boyd Ave.	19524
2027	Castle Rock Township	Audry Ave.	19505
2027	Greenvale Township	Eveleth Ave.	19509

Five of the township structures listed above are timber, and eight of the bridges are load posted.

MnDOT typically requests State Bridge Bonds (Fund 29) and Town Bridge Account funds each legislative session. These funds are used to construct or rehabilitate bridges and large culverts on local roads. To determine the statewide needs for local bridges, each county must adopt a resolution listing bridges that the local agencies plan on replacing, rehabilitating, or eliminating in the next five years in order to be included in the State program. Local agencies are responsible for the costs of right of way acquisition, permits, road approach grading items, and some engineering. Once these bridges are prioritized for State funds, the local agencies must complete the project within one year of notification from MnDOT that funds are available for construction.

For bridges under township jurisdiction, the County assists the townships with the administration of the bridge project. In accordance with applicable State statutes and rules, the townships are responsible for the first \$10,000 of approach work and the first \$10,000 of engineering on each township-owned bridge project. Roadway and engineering costs on township bridges above \$10,000 are eligible for reimbursement from the Town Bridge Account.

RECOMMENDATION

Staff recommends approval of the Bridge Priority Replacement List.

EXPLANATION OF FISCAL/FTE IMPACTS

The Bridge Priority Replacement List will provide Dakota County and townships within Dakota County access to State bridge bonds and town bridge account funds for reconstruction, rehabilitation, or removal of deficient bridges. The projects that are eligible for funding are prioritized within the current Transportation Capital Improvement Program (CIP) budget or are proposed for inclusion in the 2025-2029 Transportation CIP budget. Townships are responsible for all remaining costs, after deducting bridge funding, for structures within their jurisdiction. There is no Dakota County cost associated with township bridge projects.

- ☒ None
 ☐ Current budget
 ☐ Other
☐ Amendment Requested
 ☐ New FTE(s) requested

RESOLUTION

WHEREAS, Dakota County has determined that the following substandard bridges on the county State aid highway, county road, and township systems are a high priority and require replacement, rehabilitation, or removal within the next five years:

Construction Year	Agency	Road	Bridge Number
2025	Dakota County	CSAH 85	19504
2025	Marshan Township	205 th St.	L-3249
2025	Hampton/Douglas Townships	Inga Ave.	L-3285
2026	Dakota County	CSAH 31	19512
2026	Castle Rock Township	230 th St.	L-3253
2027	Dakota County	CSAH 54	2951
2027	Castle Rock Township	230 th St.	L-3254
2027	Sciota Township	Boyd Ave.	19524

2027	Castle Rock Township	Audry Ave.	19505
2027	Greenvale Township	Eveleth Ave.	19509

; and

WHEREAS, local roads play an essential role in the overall state transportation network, and local bridges are a critical component of the local road systems; and

WHEREAS, State support for the replacement, rehabilitation, or removal of local bridges continues to be crucial to maintaining the integrity of the local road systems and is necessary for the County and the townships to proceed with the bridge projects described above; and

WHEREAS, Dakota County intends to proceed with the replacement, rehabilitation, or removal of these bridges as soon as possible when State transportation bond funds and town bridge account funds are available.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby requests authorization from the Minnesota Department of Transportation (MnDOT) to replace, rehabilitate, or remove high-priority substandard bridges and requests financial assistance, including eligible approach grading and engineering as provided by law; and

BE IT FURTHER RESOLVED, That Dakota County hereby commits that it will proceed with the design and contract documents for said bridges immediately after notification by MnDOT that funds are available in order to permit construction to take place within one year of notification; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the County Engineer to submit this resolution to MnDOT along with the Dakota County Bridge Priority Replacement List as presented to the County Board on September 24, 2024.

PREVIOUS BOARD ACTION

None.

ATTACHMENTS

Attachment: Bridge Location Map

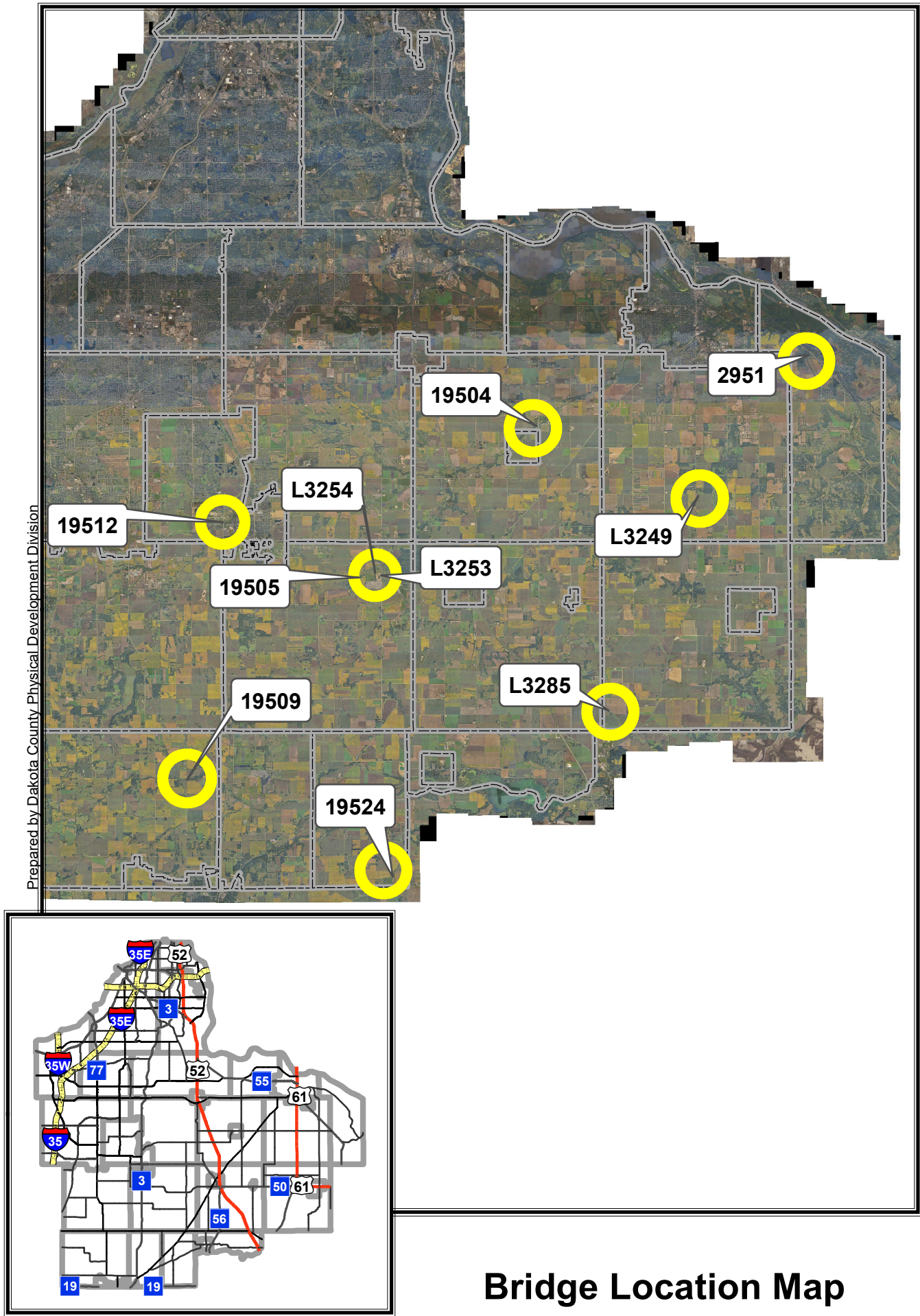
BOARD GOALS

- | | |
|-------------------------------------------------------------------|-------------------------------------------------------|
| <input checked="" type="checkbox"/> A Great Place to Live | <input type="checkbox"/> A Healthy Environment |
| <input type="checkbox"/> A Successful Place for Business and Jobs | <input type="checkbox"/> Excellence in Public Service |

CONTACT

Department Head: Erin Laberee

Author: Todd Howard





Physical Development Committee of the Whole

Request for Board Action

Item Number: DC-3715

Agenda #: 4.9

Meeting Date: 9/17/2024

DEPARTMENT: Transportation

FILE TYPE: Consent Action

TITLE

Authorization To Execute Detour Agreement No. 1057489 With Minnesota Department Of Transportation For Trunk Highway 316

PURPOSE/ACTION REQUESTED

Authorize the execution of Agreement No. 1057489 with the Minnesota Department of Transportation (MnDOT) to accept reimbursement for State Project 1926-23, a Trunk Highway (TH) 316 detour on County State Aid Highways (CSAH) 54, 62, 68, and 91.

SUMMARY

To provide a safe and efficient transportation system, the County partners with MnDOT for use of County highways as applicable to facilitate traffic operations during TH construction projects. In 2025, MnDOT will be grading, resurfacing, and improving drainage on TH 316 between Tuttle Drive and the south junction of TH 61. Minnesota Statue §161.25 authorizes the Commissioner of Transportation to designate any public street or highway as a temporary TH detour when determined necessary for the construction or maintenance of any TH. MnDOT requires a detour to carry TH 316 traffic on CSAH 54 (Ravenna Trail), CSAH 62 (190th Street East), CSAH 68 (200th Street East), and CSAH 91 (Nicolai Avenue) during construction (Attachment: Detour Map). The detour is expected to be required for about 12 weeks beginning in the spring. The State will reimburse the County for the road life consumed by the detour through the income determined by the "Gas Tax Method" in accordance with the Detour Management Study Final Report. The "Gas Tax Method" uses a formula that multiplies Combined Tax Factor per mile, Average Daily Traffic count of vehicles diverted from TH 316, the County road detour length, and the duration of the detour to determine the State's cost.

Executing MnDOT Agreement No. 1057489 is necessary for reimbursement by the State to the County. This agreement follows MnDOT's standard documents for detours of state highway traffic onto a highway not under MnDOT's jurisdiction.

RECOMMENDATION

Staff recommends entering into Agreement No. 1057489 with MnDOT to accept reimbursement for State Project 1926-23, TH 316 detour on CSAH 54, 62, 68, and 91.

EXPLANATION OF FISCAL/FTE IMPACTS

The State will reimburse the County in the amount of approximately \$21,000 in accordance with MnDOT Agreement No. 1057489 for the road life consumed by the TH 316 detour through State Project 1926-23. This reimbursement will be applied to the Transportation Capital Improvement Program Fund.

- ☐ None ☐ Current budget ☒ Other
☐ Amendment Requested ☐ New FTE(s) requested

RESOLUTION

WHEREAS, to provide a safe and efficient transportation system, Dakota County is partnering with the Minnesota Department of Transportation (MnDOT) on State Project (SP) No. 1926-23; and

WHEREAS, construction work will begin in 2025 on Trunk Highway (TH) 316 to grade, resurface, and improve drainage on TH 316 between Tuttle Drive and the south junction of TH 61; and

WHEREAS, detours will divert TH 316 traffic onto County State Aid Highway (CSAH) 54 (Ravenna Trail), CSAH 62 (190th Street East), CSAH 68 (200th Street East), and CSAH 91 (Nicolai Avenue) during construction; and

WHEREAS, Minn. Stat. § 161.25 authorizes the Commissioner of Transportation to designate any public street or highway as a temporary TH detour when it is determined that such detour is necessary for the construction or maintenance of any TH; and

WHEREAS, MnDOT Agreement No. 1057489 allows the State to reimburse the County approximately \$21,000 for the road life consumed by the detour based on the income determined by the "Gas Tax Method" in accordance with the Detour Management Study Final Report; and

WHEREAS, executing this agreement is necessary for the State to reimburse the County for road consumption from the detour and for the project to continue; and

WHEREAS, the \$21,000 will be deposited in the Transportation Capital Improvement Program fund; and

WHEREAS, staff recommends executing Agreement No. 1057489 with MnDOT to accept reimbursement for SP 1926-23 TH 316 detour on CSAHs 54, 62, 68, and 91.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute Agreement No. 1057489 with the Commissioner of Transportation of the State of Minnesota for the County to receive the State's reimbursement of \$21,000 for the road life consumed by the Trunk Highway 316 detour through State Project 1926-23, subject to approval by the County Attorney's Office as to form.

PREVIOUS BOARD ACTION

None.

ATTACHMENTS

Attachment: Detour Map

BOARD GOALS

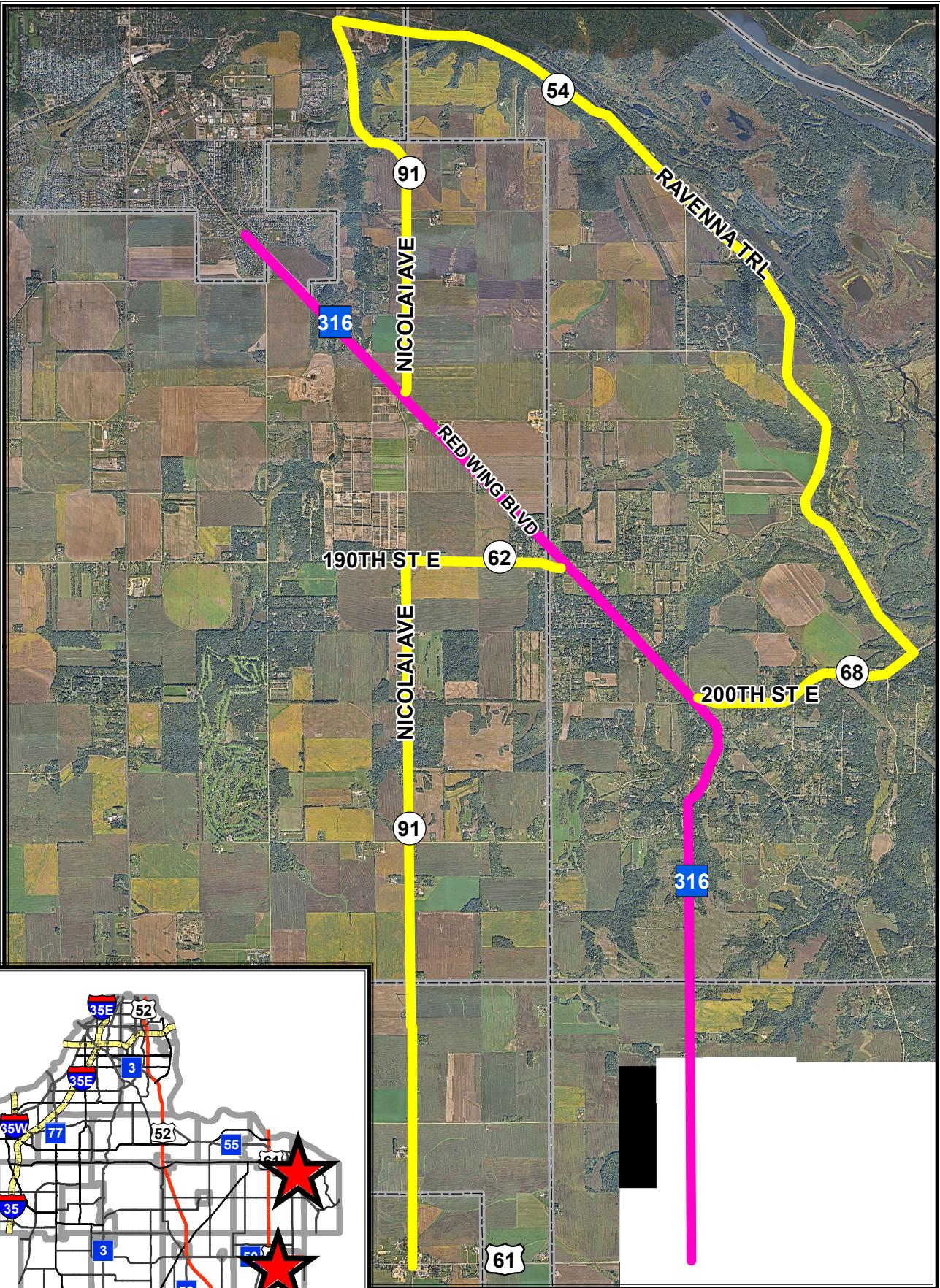
- ☒ A Great Place to Live ☐ A Healthy Environment
☐ A Successful Place for Business and Jobs ☐ Excellence in Public Service

CONTACT

Department Head: Erin Laberee

Author: Todd Howard

Prepared by Dakota County Physical Development Division



Trunk Highway 316 Detour
TH 316 Construction ———
Detour Routes ———



Physical Development Committee of the Whole

Request for Board Action

Item Number: DC-3446

Agenda #: 5.1

Meeting Date: 9/17/2024

DEPARTMENT: Parks, Facilities, and Fleet Management

FILE TYPE: Regular Action

TITLE

Approval Of Schematic Design For Wentworth Library Renovation

PURPOSE/ACTION REQUESTED

Review and approve the Wentworth Library Renovation schematic design as presented.

SUMMARY

The 2024-2028 Building Capital Improvement Program (CIP) Adopted Budget includes a program to renovate the Dakota County branch libraries through a cycle over the next decade. This cycle of library renovation work will focus on interior changes, such as furniture, fixture, equipment, and finish upgrades, code compliance and accessibility improvements, mechanical and electrical system upgrades or equipment replacements, and other changes to support process improvement or changes to service delivery. The intent will be to complete work in all ten of the County's branch libraries through this cycle to ensure each is kept up-to-date, code-compliant, and consistent with the other branch libraries.

The Wentworth Library in West St. Paul was last renovated in 2008. With over 15 years passing since this last renovation, this branch library is primed for an update on several fronts. This project will address the general interior upgrades and improvement work listed above along with any other identified issues or areas for improvement specific to this location.

Staff solicited proposals for design services through a competitive Request for Proposal process. A selection committee unanimously recommended Leo A Daly to lead the design efforts for this project. This selection was approved by the Dakota County Board of Commissioners by Resolution No. 24-105 (February 27, 2024).

A Core Planning Group comprised of County staff from the Library, Facilities and IT Departments worked with Leo A Daly to assess needs, define the space program, confirm the work scope and to develop the schematic design for the project.

To gain public input, proposed project drawings and images were shared at an open house held at the Wentworth Library on August 30, 2024. In addition to this four-hour event, proposed drawings and images were displayed at the library and shared on the project webpage from July 26 through August 13, 2024. During this time, public comments were submitted via email or in a comment box at the library. Over 150 public comments were collected and were shared with the design team for consideration.

Capital Projects Management staff solicited an independent cost estimate and opinion of constructability. This estimate was then compared to an estimate provided by Leo A Daly to conclude that the estimates are slightly higher than the estimated project budget that was initially developed in 2023. Necessary construction funds will be requested as part of the 2025 CIP and budgeting process.

If the project schematic design is approved as presented, staff will continue efforts to complete the remaining design work and develop the technical bidding documents. The project will be bid in February of 2025, after which staff will return to the County Board to request approval to award the construction contract. Construction is estimated to start in Spring of 2025 with construction work taking about 12 months.

RECOMMENDATION

Staff recommends the approval of the Wentworth Library Renovation schematic design as presented.

EXPLANATION OF FISCAL/FTE IMPACTS

The 2024 Facilities CIP Adopted Budget includes \$674,866 for design. The budget for construction will be included in the 2025 Building CIP.

- | | | |
|----------------------------------------------|----------------------------------------------------|-----------------------------------------------|
| <input type="checkbox"/> None | <input checked="" type="checkbox"/> Current budget | <input type="checkbox"/> Other |
| <input type="checkbox"/> Amendment Requested | | <input type="checkbox"/> New FTE(s) requested |

RESOLUTION

WHEREAS, the 2024-2028 Facilities Capital Improvement Program (CIP) Adopted Budget includes a project to renovate the Wentworth Library as part of the next cycle of library renovation work; and

WHEREAS, the scope of work includes professional design services; and

WHEREAS, Leo A Daly was selected as the consultant firm to lead the design efforts for the project by Resolution No. 24-105 (February 27, 2024); and

WHEREAS, Leo A Daly worked with a Core Planning Group to confirm the programmatic needs and develop the project through the schematic design phase; and

WHEREAS, public input was solicited through an open house event, sharing materials at the library and on the project webpage; and

WHEREAS, over 150 public comments were submitted and shared with the design team for consideration; and

WHEREAS, the cost estimates prepared for the schematic design developed to date are slightly higher than the estimated project budget. The construction funding will be included in the 2025 Building CIP.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the recommended schematic design for the Wentworth Library Renovation as presented.

PREVIOUS BOARD ACTION

24-105; 02/27/24

ATTACHMENTS

Attachment: Schematic Design

BOARD GOALS

- | | |
|-------------------------------------------------------------------|------------------------------------------------------------------|
| <input type="checkbox"/> A Great Place to Live | <input type="checkbox"/> A Healthy Environment |
| <input type="checkbox"/> A Successful Place for Business and Jobs | <input checked="" type="checkbox"/> Excellence in Public Service |

CONTACT

Department Head: Mike Lexvold

Author: Patricia Bremer



Wentworth Library Renovation

September 17, 2024 Physical Development Committee of the Whole

RBA: Approval of Schematic Design for the Wentworth Library Renovation



Image 1 – Existing Wentworth Library exterior, main entry walkway

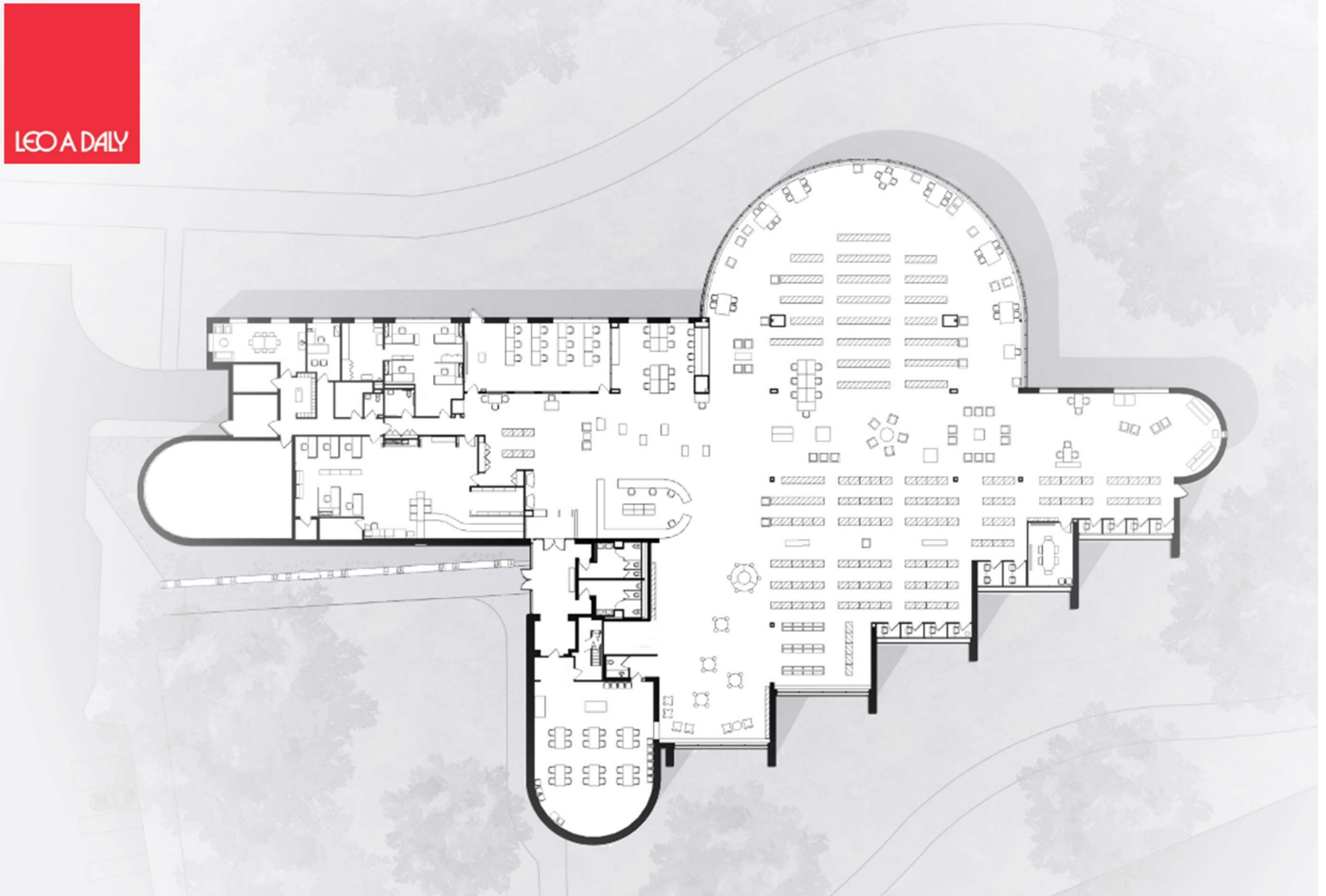


Image 2 – Existing Wentworth Library Plan with site context

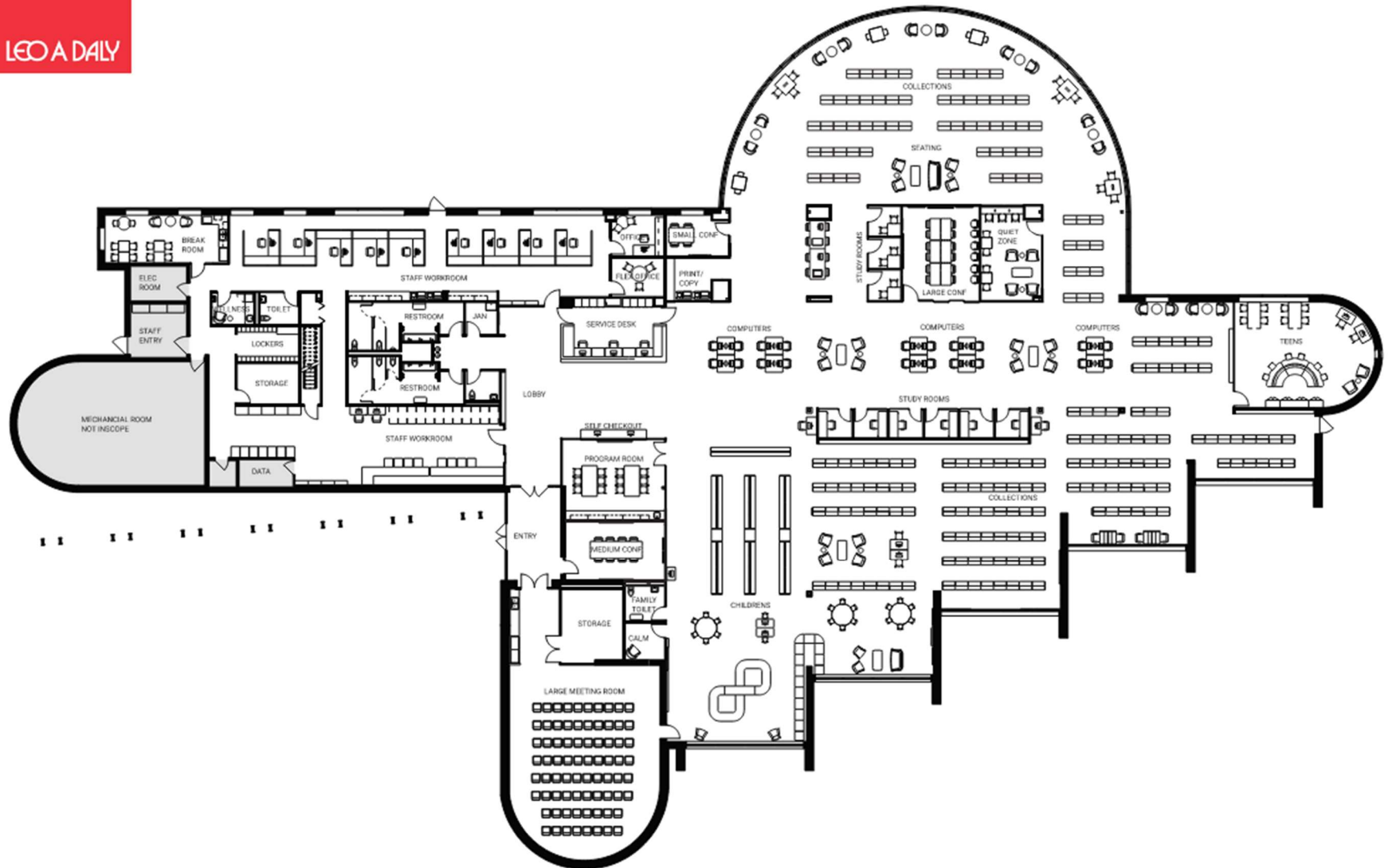


Image 3 – Proposed Wentworth Library Plan



Image 4 – Interior Rendering showing Main Concourse

Indirect natural light from existing clerestory windows above

Study Rooms and Collections on right-hand side

Public computers, Study Rooms and Large Conference Room along left-hand side

Teen's area at far end of concourse

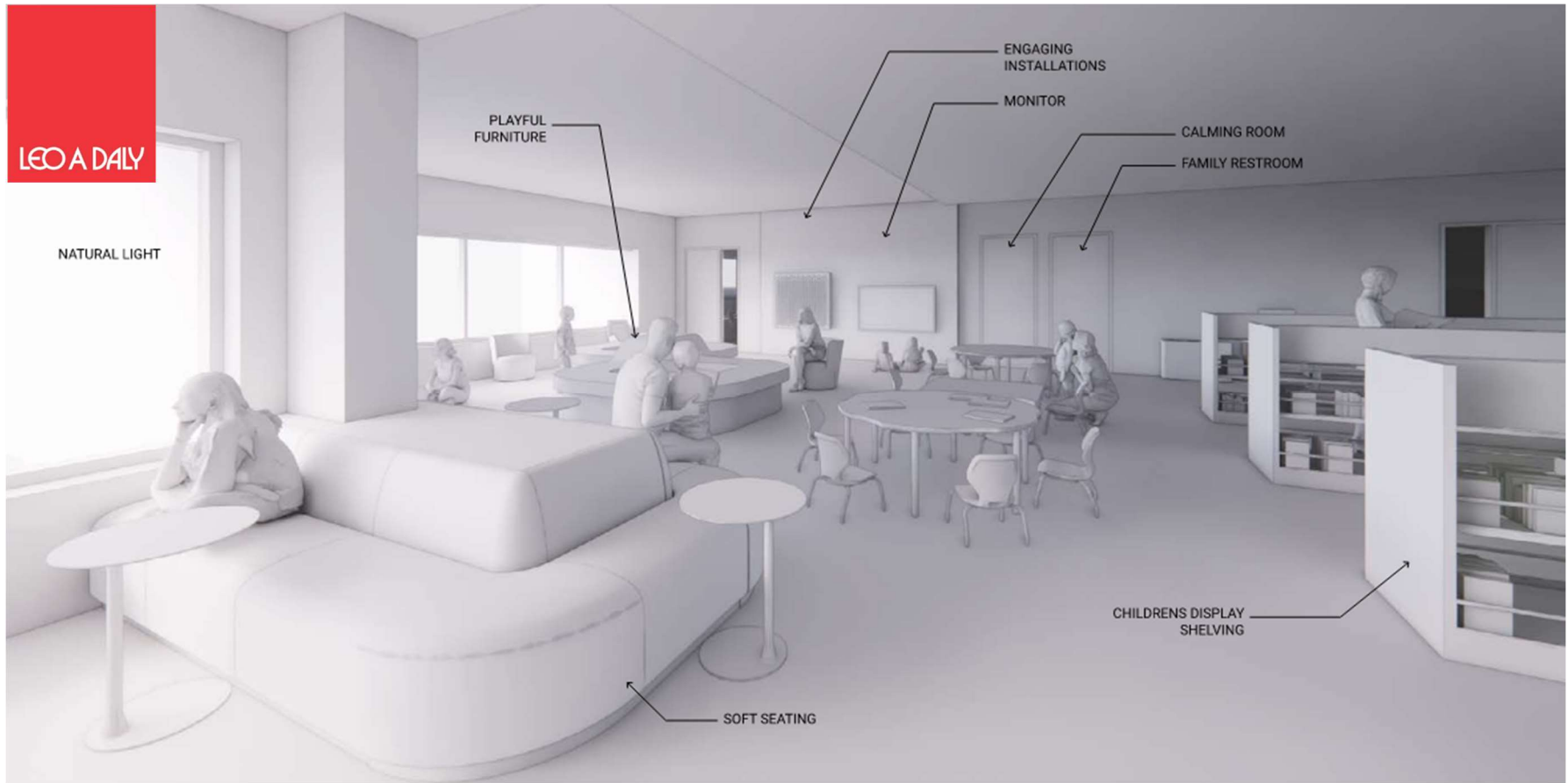


Image 5 – Interior Rendering showing Children’s Area

Natural light from existing exterior windows

Variety of seating options for users of all ages

Interactive displays and playful furniture to spark creativity

Direct access to Large Meeting Room, Calming Room and Family Restroom



Physical Development Committee of the Whole

Request for Board Action

Item Number: DC-3716

Agenda #: 5.2

Meeting Date: 9/17/2024

DEPARTMENT: Parks, Facilities, and Fleet Management

FILE TYPE: Regular Action

TITLE

Approval Of Schematic Design For Law Enforcement Center Boiler And Chiller Replacement Project

PURPOSE/ACTION REQUESTED

Review and approve the schematic design for the Law Enforcement Center (LEC) Boiler and Chiller Replacement project.

SUMMARY

The central heating and cooling systems for the LEC were installed in 1988 and are well past their useful life, especially considering the critical nature of this 24/7 facility.

The Central Plant Study prepared by Obermiller Nelson Engineering, LLC, dba CMTA dated June 22, 2023, provided three options for systems replacements:

- Option 1 - A "like for like" system replacement, steam heating to steam heating
- Option 2 - Steam to hot water conversion of heating system
- Option 3 - Conversion to geothermal heating system

All options would use "like for like" chiller replacements. Option 1 uses the oldest and least efficient system. Option 3 uses the newest technology, but the geology of the site makes its installation extremely expensive. Option 2 is the most efficient and cost-effective solution.

Design work is being guided by a Core Planning Group (CPG) consisting of Facilities Staff. The consultant team, led by CMTA, met with the CPG five times during Schematic Design. CMTA was selected in a separate process approved by the County Board on June 4, 2024 (Resolution 24-302).

The schematic design is consistent with Option 2 of the study. It includes not only the boilers and chiller machines but also all-new replacements of the existing air handling units and all associated piping.

The new boiler and chiller systems will serve all of the existing LEC plus the Integrated Health Unit Addition.

The new boiler system is anticipated to be 15 percent more efficient. The new chilled water system is anticipated to be 5 to 15 percent more efficient.

The project is anticipated to be completed in several phases, over several heating and cooling cycles. If bid in 2024 it should be complete by December 2026.

RECOMMENDATION

Staff recommends that the County Board approve the schematic design as presented at the September 17, 2024, Physical Development Committee of the Whole Meeting.

EXPLANATION OF FISCAL/FTE IMPACTS

The Facilities Capital Improvement Program (CIP) Adopted Budget for the Project includes total funding of \$6,800,000 in 2024. However, most of the authorized amount was reallocated to meet 2024 deficit. Therefore, \$1,800,000 will be needed in 2025 to cover the entire project. The estimated construction cost is \$7,800,000 and the estimated soft costs are \$800,000.

- | | | |
|----------------------------------------------|----------------------------------------------------|-----------------------------------------------|
| <input type="checkbox"/> None | <input checked="" type="checkbox"/> Current budget | <input type="checkbox"/> Other |
| <input type="checkbox"/> Amendment Requested | | <input type="checkbox"/> New FTE(s) requested |

RESOLUTION

WHEREAS, the 2024 Building Capital Improvement Program (CIP) Adopted Budget authorized the Law Enforcement Center (LEC) Boiler and Chiller Replacement project; and

WHEREAS, the design team, led by CMTA, met with the Core Planning Group five times to develop the schematic design for the LEC Boiler and Chiller Replacement project; and

WHEREAS, two steam boilers will be replaced with two hot water boilers; and

WHEREAS, two chillers will be replaced, but the existing cooling tower will be re-used; and

WHEREAS, 13 air handling units and steam piping will be converted to hot water; and

WHEREAS, staff recommends that the County Board approve the schematic design based on Option 2 of the Central Plant Study from June 2023, as presented by County staff to the Physical Development Committee of the Whole on September 17, 2024.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the recommended schematic design for the Law Enforcement Center Boiler and Chiller Replacement as presented to the Physical Development Committee of the Whole on September 17, 2024.

PREVIOUS BOARD ACTION

24-302; 6/4/24

ATTACHMENTS

Attachment: Schematic Design

BOARD GOALS

- | | |
|-------------------------------------------------------------------|------------------------------------------------------------------|
| <input type="checkbox"/> A Great Place to Live | <input type="checkbox"/> A Healthy Environment |
| <input type="checkbox"/> A Successful Place for Business and Jobs | <input checked="" type="checkbox"/> Excellence in Public Service |

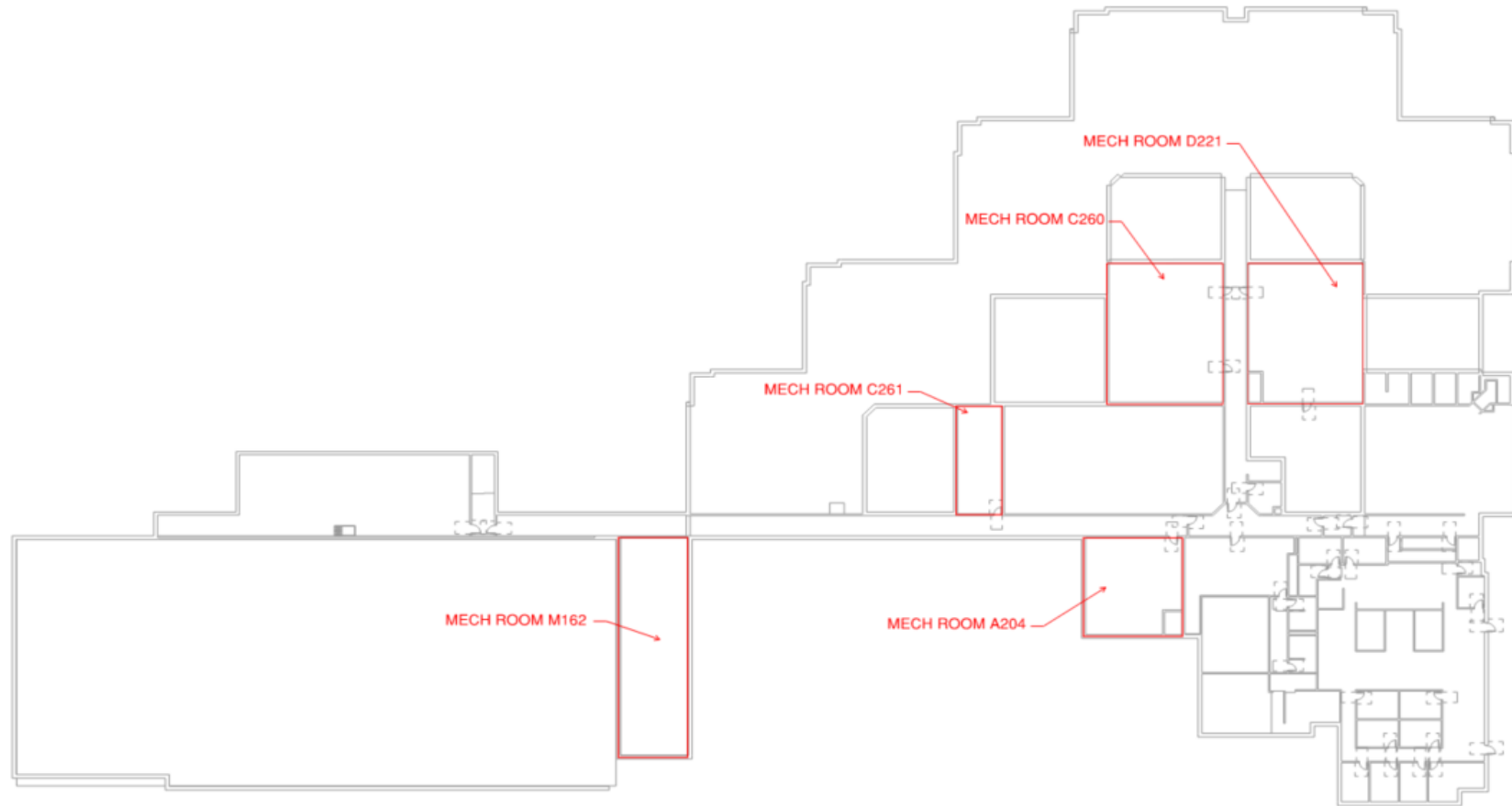
CONTACT

Department Head: Mike Lexvold

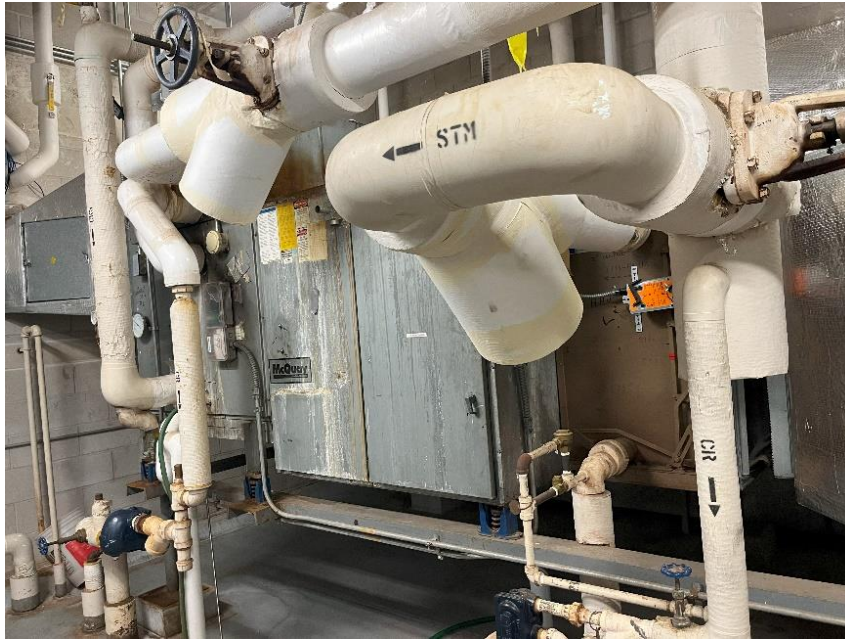
Author: Joe Lexa

LEC Center Boiler and Chiller Replacement Schematic Design

Attachment: Schematic Design



Law Enforcement Center – Upper Level



Air Handlers to Be Replaced





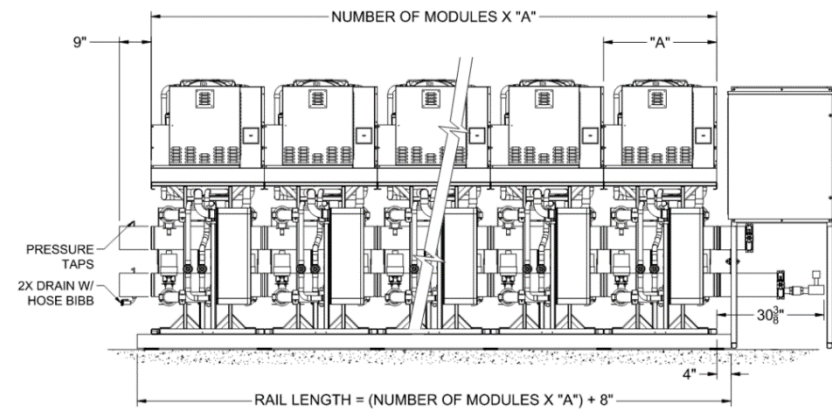
Boilers to be replaced



One of two new boilers



Chillers to be replaced



One of two new modular chillers



Typical electrical equipment to be modified

This project will:

- 1. Replace equipment and piping which is at end of life.**
- 2. Increase overall efficiencies with modern, modular equipment.**
- 3. Increase reliability with redundant equipment configurations.**
- 4. Convert steam heating system to hot water for better control and less staff involvement.**
- 5. All new systems will be controlled by the building automation system.**



Physical Development Committee of the Whole

Request for Board Action

Item Number: DC-3735

Agenda #: 5.3

Meeting Date: 9/17/2024

DEPARTMENT: Physical Development Administration

FILE TYPE: Regular Action

TITLE

Authorization To Submit Comments On Imagine 2050 Policy Plans To Metropolitan Council

PURPOSE/ACTION REQUESTED

Request authorization to submit a comment letter on the Imagine 2050 Policy Plans to the Metropolitan Council.

SUMMARY

The Metropolitan Council released an updated series of regional policy plans, Imagine 2050, on August 15, 2024, for public review and comment. The plans establish the vision and goals for the region related to transportation, water, parks, and housing. Comments are due by October 7, 2024. Staff has reviewed the plans and prepared a draft comment letter (Attachment: Comment Letter) for County Board consideration.

RECOMMENDATION

Authorize comment letter for signature by the County Board Chair.

EXPLANATION OF FISCAL/FTE IMPACTS

None.

- | | | |
|----------------------------------------------|-----------------------------------------------|--------------------------------|
| <input checked="" type="checkbox"/> None | <input type="checkbox"/> Current budget | <input type="checkbox"/> Other |
| <input type="checkbox"/> Amendment Requested | <input type="checkbox"/> New FTE(s) requested | |

RESOLUTION

WHEREAS, the Metropolitan Council released for public review and comment Imagine 2050, a series of updated policy plans for the seven-county Metropolitan Region; and

WHEREAS, the plans establish the vision and goals for the region related to housing, transportation, water, land use, and parks; and

WHEREAS, staff has reviewed the plans and prepared a draft comment letter for County Board consideration.

NOW, THEREFORE BE IT RESOLVED, That the Dakota County Board of Commissioners authorizes the County Board Chair to submit the letter to the Metropolitan Council.

PREVIOUS BOARD ACTION

None.

ATTACHMENTS

Attachment: Comment Letter to the Metropolitan Council

BOARD GOALS

- | | |
|-------------------------------------------------------------------|-------------------------------------------------------|
| <input checked="" type="checkbox"/> A Great Place to Live | <input type="checkbox"/> A Healthy Environment |
| <input type="checkbox"/> A Successful Place for Business and Jobs | <input type="checkbox"/> Excellence in Public Service |

CONTACT

Department Head: Erin Stwora

Author: Mary Jackson



September 24, 2024

Charlie Zelle, Chair
Metropolitan Council
390 Robert St. N.
St. Paul, MN 55101

Re: Dakota County Comments on the Imagine 2050 Transportation Policy Plan, Parks Policy Plan, and Water Policy Plan

Dear Chair Zelle:

On behalf of the Dakota County Board of Commissioners, thank you for the opportunity to comment on the draft Imagine 2050 Policy Plans for the Metropolitan Region. This letter includes comments on the draft 2050 Transportation Policy Plan, the draft 2050 Parks Policy Plan, and the draft 2050 Water Resources Policy Plan.

Comments on the Draft Imagine 2050 Transportation Policy Plan

Transportation is a vital element of the future prosperity and success for the Region. This holds true in Dakota County where an efficient transportation system will be a critical factor to support our planned growth. The Transportation Policy Plan is intended to guide long-term transportation policy by setting goals, policies, and priorities for maintaining and improving the Region's transportation system. This remains a difficult task, considering today's challenges including needs for investment in preserving the current system, providing multi-modal solutions, and addressing current constraints including highway funding.

- The Plan acknowledges the importance of the regional highway system and includes data showing that 85% of all trips in the region are taken with a personal vehicle, and that the highway system is important for supporting all modes, including transit, freight, biking, and walking. The plan also appropriately notes that rural areas are highly dependent on roadways for personal travel. Despite this acknowledgement, the Regional Goals and supporting objectives provide minimal direction to highway investments and improvements. Dakota County recommends inclusion of additional objectives and actions that support highway safety, mobility, and modernization.
- The Plan's Greenhouse gas emission and vehicle miles traveled (VMT) reduction goals should be established with an understanding of how these can be achieved in all areas of the region, including suburban and rural areas with limited options for transit and other modes.
- While the County agrees that it is important to acknowledge and understand the benefits and impacts of all transportation investments to residents and members of underserved communities, the plan focuses on the harm caused by highways and minimizes benefits that highways provide for all modes. With this focus on the negative aspects of highways, the Plan understates the significant needs in the region for investment and modernization of the regional highway system and the potential benefits that highway improvements can provide. Dakota County suggests including a more balanced discussion of highways that both acknowledges the disproportionate harm highways have had on some communities while also identifying how highway investment and safety improvements for all modes can benefit all residents of the region. These benefits include economic development through the efficient movement of goods and services, and safe routes for residents to get to their homes, jobs, and places of commerce that are not located on transit lines.

County Board of Commissioners

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- The Plan documents increased funding for transportation at the state level and new distribution formulas at the Minnesota Department of Transportation (MnDOT) that will result in increased funding for the regional highway system in the Metropolitan Region. The plan identifies several principles for prioritizing MnDOT's additional funding in the region. Dakota County would like to see an emphasis on MnDOT projects that address modernization of its aging arterial system. Highways such as Trunk Highway (TH) 3, TH 50, and TH 55 are important corridors and connectors for Dakota County, yet these corridors have not been updated or modernized since their initial construction. These two-lane rural design highways lack pedestrian and bicycle infrastructure, turn lanes, shoulders, and drainage systems adequate to handle today's needs. Dakota County suggests adding an item to the Work Program section of the Policy Plan in coordination with MnDOT to prioritize investments in MnDOT's aging non-freeway arterials for corridors in greatest need of modernization improvements that go above and beyond pavement preservation.
- The Transit Investment chapter identifies that over the 26-year timeframe of the Plan, there is \$1.5 billion in unallocated regional sales tax funding. The Plan does not discuss how that funding will be prioritized but that there will be a future process to decide on how these funds will be invested. Dakota County would like to see a robust regional discussion about transit needs across the region and how this funding source can be utilized to improve transit in all areas of the region.
- Dakota County supports the Plan's inclusion of system planning for additional principal arterials and the recognition that the arterial grid is not fully developed in growing parts of the region. The County appreciates the inclusion of Dakota County's planned principal arterials in the text of the plan. The County suggests incorporating one or more action items related to Principal Arterial system planning.
- While the County recognizes the requirement for the plan to be fiscally constrained, the plan should identify needs and issues that are a priority to address when additional resources are identified and provide more information about planned projects in the region beyond the small subset of "regionally significant projects."
- The Functional Classification chapter describes Principal and Minor Arterials, which make up the Regional Highway System, as barriers to pedestrian and bicycle travel. The chapter goes on to state that Principal Arterials are not intended to serve bicycle and pedestrian trips and that Minor Arterials should prioritize pedestrian and bicycle investments in certain areas with concentrations of jobs and transit. While this may be true for principal arterials that are freeways, this statement contrasts with the Plan's Policies and Actions which focus heavily on pedestrian and bicycle safety and access on the Regional Highway System, many of which are divided highways. While we recognize the challenge of providing multimodal access to destinations, which are often concentrated along these highways, the Plan should reconcile these contradictory statements. The Plan should also provide more emphasis on technical support and guidance to all entities on how best to support multimodal travel on Principal and Minor Arterials.

Comments on the Imagine 2050 Parks Policy Plan

The 2050 Parks Policy Plan provides the framework needed for the regional park implementing agencies to manage and improve the Metropolitan Regional Park System and guides regional park investments that are important to the citizens of Dakota County. The Dakota County Board of Commissioners recognizes the overall purpose of the RPPP, and offers the following general comments and concerns:

- Regional Goal #5. "We protect, integrate, and restore natural systems to protect habitat and ensure a high quality of life for the people of our region." The natural systems protection, integration, and restoration work that Counties do ensures a high-quality of life for all living things in the region. This is supported later in the plan on page 19 in an objective that states "Protect and restore: Protect and restore natural systems to safeguard the well-being of all living things." Dakota County recommends changing the regional goal to take a more holistic approach.
- Dakota County appreciates the acknowledgement of system growth impacting the need for additional operations and maintenance costs in the Growing Pains section on page 17. Operations and

County Board of Commissioners

Maintenance (OM) funding as required by Statute has never been realized. Dakota County supports the full funding of OM need.

- Dakota County requests additional clarification in the Policy Plan on how to designate a bridging facility.
- Dakota County supports counting bridging facilities in annual park user counts.
- Dakota County suggests that the Metropolitan Council partner and consult with tribal communities in order for a landscape to be designated as a Cultural Landscape.
- Dakota County has identified some geographic gaps in regional park service areas as part of the County's draft 2050 parks system vision, particularly in the northern areas and in the western areas of the county where more residents are underserved by regional parks. Additional time is needed to complete this analysis and the county may propose new units in these areas after study completion. Dakota County's current plan from 2008 identified Thompson County Park as a potential joint opportunity for a regional park. Dakota County recommends that the Parks Policy Plan show this area as a search area.
- The existing OM funding formula is inadequate for funding natural resources management. Dakota County recommends consideration of establishing a dedicated fund, particularly for long-term maintenance after restoration.

Comments on the Imagine 2050 Water Policy Plan

The WRPP provides goals and strategies related to wastewater, water supply and surface water planning, management and operation. All of these issues are important issues to the citizens of Dakota County.

Roughly 96% of households in Dakota County are served by a wastewater treatment facility. The remaining 4% of households have subsurface treatment systems (SSTS), systems that require maintenance and a cost-effective means for disposal.

About 95% of Dakota County's water supply is from groundwater. Several municipalities within Dakota County are in the top 20 groundwater-based water suppliers in Minnesota. In addition, Dakota County is among the highest users of agricultural irrigation groundwater in Minnesota.

- The Water Policy Plan places emphasis on utilizing the Priority Waters List for decision making throughout the plan. The Priority Waters List does not have substantial influence over local protection or enhancement efforts. Local efforts are guided more by Total Maximum Daily Load (TMDL) requirements, restoration plans, or other local plans and studies. Dakota County recommends the Met Council utilize TMDL, restoration plans, and local water plans and studies for prioritizing efforts.
- The Water Policy Plan identifies working with agricultural landowners to help promote best management practices (i.e., pages 1-32, 1-37). Dakota County recommends the Met Council work with the Soil and Water Conservation Districts (SWCD), watershed organizations or other local agencies that have established relationships and are a trusted source of information with the agriculture community.
- When considering tools and resources to better understand pressures on and interconnections between water resources, it is important for local governments to have water supply sustainability targets for regional planning to prevent issues that occurred in White Bear Lake from occurring elsewhere. The State agencies or Met Council should update groundwater models to help identify regional sustainability targets for development planning. (Policy 2, page 1-32 – 1-33; and Policy 5 page 1-37)
- Wastewater System Plan, PFAS, PFOS, PFOA Section, page 2-67: The Met Council appears to be reactionary vs proactive in addressing PFAS in wastewater discharge and biosolids and only proposes to address concerns if regulation is proposed and adopted. PFAS contamination is a growing concern in the Metro Region. The Met Council has a responsibility to support reduction of

County Board of Commissioners

PFAS sources to the environment, even if there is not a current state or federal requirement. Dakota County recommends the Met Council identify within the Wastewater System Plan what is currently being completed to reduce PFAS in waste streams and identify PFAS reduction goals based on reasonably anticipated future regulations. For example, the Met Council can support its partnering state agencies in identifying ways to reduce these inputs upstream where possible and applicable.

- Partners' roles and relationships, Page 1-24: The paragraph at the top of the page states that "...private well owners plan, partner, and implement water projects at the local scale." Individual private well owners do not typically implement water projects and this section appears to be treating all private well owners as a local water organization. Dakota County recommends removing private well owners from this list since not included in Table 1.3 or clarify this as large water users such as industrial, or non-community (non-municipal) wells.
- Policy 5 and 6, Pages 1-36 – 1-39: Dakota County recommends defining and differentiating between water conservation vs water reuse. The difference between the two may be confusing to the general public.

Thank you for your consideration. We appreciate your attention to these comments and look forward to working with you towards final versions of the Imagine 2050 Policy Plans that will best serve the needs of the Twin Cities region through 2050. If you have any questions about our comments or would like clarification, please contact Georg Fischer, Physical Development Director, (952-891-7007) at georg.fischer@co.dakota.mn.us.

Sincerely,

Joe Atkins, Chair
Dakota County Board of Commissioners

Cc: Dakota County Board of Commissioners
Heidi Welsch, County Manager

County Board of Commissioners



Physical Development Committee of the Whole

Request for Board Action

Item Number: DC-3375

Agenda #: 5.4

Meeting Date: 9/17/2024

DEPARTMENT: Transportation

FILE TYPE: Regular Information

TITLE

Discussion On Transit In Dakota County

PURPOSE/ACTION REQUESTED

Discuss current transit issues in Dakota County and provide direction to staff on topics for further discussion at a planned transit workshop on October 29, 2024.

SUMMARY

To provide a safe and efficient multi-modal transportation system that meets the needs of all people, Dakota County has supported transit in a variety of ways (Attachment: County Transit Roles). In recent years, transit within the region has experienced many changes including post-pandemic ridership, new types of services, and new funding sources.

The County Board has requested a discussion of transit within the County to identify roles and priorities moving forward. Staff will give an overview of transit in the County including updated data on recent ridership and trends, new funding sources for transit in the region, and guidance from the Dakota County 2040 Transportation Plan on County roles in transit initiatives. Staff will seek County Board feedback on issues of interest for a more detailed discussion at a planned workshop on October 29, 2024.

RECOMMENDATION

Information only; no action requested.

EXPLANATION OF FISCAL/FTE IMPACTS

- | | | |
|----------------------------------------------|-----------------------------------------------|--------------------------------|
| <input checked="" type="checkbox"/> None | <input type="checkbox"/> Current budget | <input type="checkbox"/> Other |
| <input type="checkbox"/> Amendment Requested | <input type="checkbox"/> New FTE(s) requested | |

RESOLUTION

Information only; no action requested.

PREVIOUS BOARD ACTION

None.

ATTACHMENTS

Attachment: County Transit Roles

BOARD GOALS

☒ A Great Place to Live

☐ A Healthy Environment

☐ A Successful Place for Business and Jobs

☐ Excellence in Public Service

CONTACT

Department Head: Erin Laberee

Author: Gina Mitteco

Attachment: County Transit Roles

(Source: Updated from Dakota County 2040 Transportation Plan)

Role	Description	Past Examples and Status of County Involvement
Capital and Service Planning	Led or played a key role in planning for transit capital facilities and services.	METRO Red Line-Cedar Avenue BRT: Construction completed 2013, last implementation plan update completed in 2015. East-West Transit Study: Completed 2017 Eastern Transit Study: Completed 2019 Robert Street Transitway Alternatives Study: Completed 2015 Orange Line Extension Study: Completed 2019
Project Management	Managed the implementation of transit and transitway projects	METRO Red Line-Cedar Avenue BRT: Opened 2013 Cedar Grove Transit Station: Completed 2017
Regional Administration	Participate in external processes and committees that govern or set regional transit policies.	Counties Transit Improvement Board (CTIB): Dissolved in 2017 Transportation Advisory Board (TAB): Continuous Minnesota Valley Transit Authority (MVTA) Board: Participant from 1990–2012; Member from 2012–2021
Funding Partner	Assist with funding transit capital facilities and services	METRO Red Line- Cedar Avenue BRT: Completed 2013 Cedar Grove Transit Station: Completed 2017 METRO Orange Line: Phase 1 Completed 2021 Apple Valley Transit Station expansion: Completed 2019 Dakota County Technical College Transit Service Pilot: Ended 2020
Mobility Management	Coordinate transportation services and provide resources for individuals including older adults, people with disabilities, and individuals with lower incomes (Community Services Division)	GoDakota: Ongoing Lyft Pilot: Ongoing Travel Training: Ongoing Jail Release Transportation Project: (Formerly DakotaLink): Ongoing
Advocacy	Represent Dakota County's interests in transit related matters.	Great River Rail Commission: Active member from 2009–2021 County Board Legislative Platform: Ongoing METRO Red Line- Cedar Avenue BRT: As-needed
Stakeholder	Serve as participant or advisor to policies, plans, or projects led by other partner agencies to represent Dakota County interests.	Red Rock Corridor Commission: Active member from 1999–2017 METRO Orange Line: As-needed Great River Rail Commission: Active member from 2009–2021 Metro Transit NetworkNext: As-needed

		MVTA County Road 42 Bus Rapid Transit Study: Completed 2024 Metro Transit G Line BRT: Active
Technical Resource	Provide technical guidance, share information, and/or convene partners when approached by partner agencies or stakeholders with transit related issues and potential solutions.	Highway corridor studies: As-needed
Permitting	Issue permits for transit facilities on county right-of-way	Transit stops and stations: As-needed
System Improvements	Program and construct system improvements to the county highway system to improve the operation and accessibility of the transit system.	Bus pad construction: As-needed Bicycle and pedestrian connections to transit stops: Ongoing through County highway trail gap work and Red Line Pedestrian and Bicycle connection projects.



Physical Development Committee of the Whole

Request for Board Action

Item Number: DC-3647

Agenda #: 5.5

Meeting Date: 9/17/2024

DEPARTMENT: Transportation

FILE TYPE: Regular Information

TITLE

Discussion Of State Trunk Highway 13 Funding

PURPOSE/ACTION REQUESTED

Discuss Dakota County's participation in funding the State Trunk Highway 13 project in Scott and Dakota County.

SUMMARY

At the July 23rd, 2024, Physical Development Committee meeting it was requested that the County's role in contributing funds to projects on the state's trunk highway system be explored. The County regularly participates in funding projects on the County's highway system that intersect with state trunk highways. The 2024 to 2028 Transportation Capital Improvement Program does not include funding for any projects on the state trunk highway system that do not have a direct County highway component.

The corridor project will create grade separated crossings along TH 13 from Quentin Avenue in Scott County to Nicollet Avenue in Dakota County to improve safety and mobility for vehicles and multimodal users. The County has been asked to contribute \$2 million to offset costs for the Nicollet Avenue grade separation. Funding from Dakota County has been requested by Scott County to decrease the funding gap and show financial commitment as state and federal grants are pursued. It has been requested that Dakota County provide a letter stating financial commitment. Staff is seeking direction on the County's role in participating financially in this project.

RECOMMENDATION

Information only; no action requested.

EXPLANATION OF FISCAL/FTE IMPACTS

None.

- | | | |
|----------------------------------------------|-----------------------------------------|-----------------------------------------------|
| <input checked="" type="checkbox"/> None | <input type="checkbox"/> Current budget | <input type="checkbox"/> Other |
| <input type="checkbox"/> Amendment Requested | | <input type="checkbox"/> New FTE(s) requested |

RESOLUTION

Information only; no action requested

PREVIOUS BOARD ACTION

None.

ATTACHMENTS

Attachment: Trunk Highway 13 Corridor Improvements - Location Map

Attachment: Minnesota Highway 13 & Nicollet Ave Mobility Project

BOARD GOALS

☐ A Great Place to Live

☐ A Healthy Environment

☐ A Successful Place for Business and Jobs

☒ Excellence in Public Service

CONTACT

Department Head: Erin Laberee

Author: Erin Laberee

Trunk Highway 13 Corridor Improvements - Location Map



Minnesota Highway 13 & Nicollet Avenue Mobility Improvement Project Burnsville, Minnesota

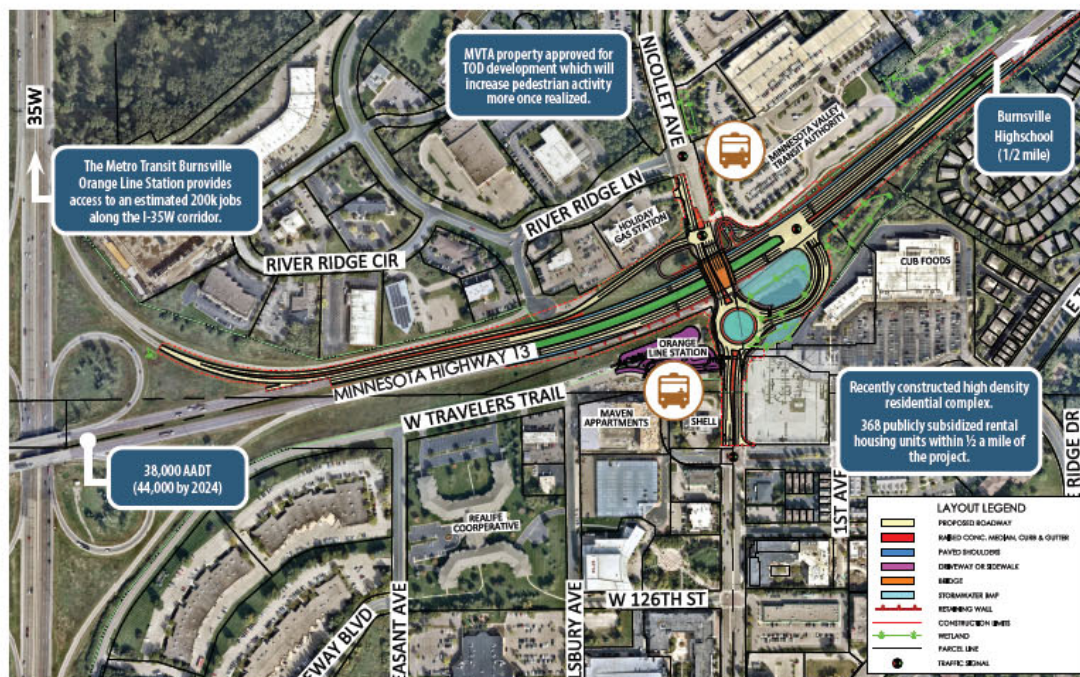
The Highway 13 and Nicollet Avenue intersection is considered one of the most important for transit access in the southern Minneapolis/St Paul metropolitan region, with two regional transit stations nearby and immediate access to Interstate 35.

On-going Partnerships between:



Today's Issues:

- Highway 13 is a Principal Arterial and a significant barrier to Burnsville's downtown and adjacent Minnesota Valley Transit Authority and MetroTransit stations
- Highway 13 is a parallel reliever route to I-494
- This route provides safety and transit access improvements within a DOT recognized historically disadvantaged census tract and several environmental justice populations were engaged during the Highway 13 Corridor Study
- Intersection operations are failing today and cannot accommodate 44,000 AADT (+6,000) by 2040
- 75 crashes from 2018-2022 (5x's statewide fatal crash rate average)
- 3 pedestrian crashes since June 2022, including 2 fatal and one serious injury



Proposed Improvements:

- A grade separated crossing of Nicollet Avenue over Highway 13
- Pedestrian interaction with high-volume/high-speed Highway 13 traffic is eliminated
- New and improved local system connections reduce conflict points, slow local traffic, and improve operations
- Defined gateway to Burnsville's downtown business district and two adjacent regional transit hubs
- Enhanced stormwater management

A BCA of 5+ outweighs the cost of construction and the proposed solution will provide an overall crash reduction of 55%



Physical Development Committee of the Whole

Request for Board Action

Item Number: DC-3462

Agenda #: 5.6

Meeting Date: 9/17/2024

DEPARTMENT: Communications

FILE TYPE: Regular Action

TITLE

Establish New Official Name For Mendota-Lebanon Hills Greenway

PURPOSE/ACTION REQUESTED

Establish a new official name for the Mendota-Lebanon Hills Greenway or give direction to staff to develop additional options.

SUMMARY

The Mendota-Lebanon Hills Greenway travels 8.5 miles through Mendota Heights, Inver Grove Heights, and Eagan. In 2013, Dakota County began a year-long planning process that was a collaborative effort of multiple agencies and jurisdictions. Dakota County led the process with advice from a technical advisory group formed to guide the master plan, and it was adopted by the County Board on August 27, 2013.

Within the approved master plan, a section regarding future renaming considerations states the following:

“As individual Dakota County greenway corridors are master planned, more is discovered about the unique cultural, historic, and natural resource attributes for each corridor, which opens new possibilities for greenway naming. Greenway names are important for creating a unique identity for individual corridors, public awareness and recognition and creating a sense of place.”

In October 2023, the County Board expressed interest in developing a new official name for the trail that would fit well with the names of other parks and trails in the Dakota County Park System and help to further the Parks brand identity. To that end, the Board directed Communications staff to develop name recommendations. Staff reviewed and researched best practices, facilitated public engagement, led a creative process with stakeholders, and developed a proposal for board consideration.

The following summarizes the best practices for naming parks and trails.

The name may:

- A. Reflect one of the following: a predominant physical feature; a significant historic feature or event; a well-known adjacent city, town, or street to the park or park reserve; or an

individual/group who has made exceptional contributions to the park.

- B. Meet established criteria, yet not necessarily represent a physical or historic feature, adjacent street, or individual or group, but be chosen because of its appeal and marketing potential.

Communications Department Staff reviewed information from the Parks Department; researched the history, geographic significance, and physical characteristics of the area; and looked at park naming trends.

Research included visiting the Dakota County Historical Society, conferring with Parks' Indigenous liaison, surveying the public, commissioners, and internal stakeholders, and conducting a site visit. The survey, conducted with OPA, revealed preferences for highlighting natural features, Indigenous Dakota place names, and geographical references. Survey respondents listed "Dakota," "nature," and "hills" as the top three words associated with the route.

Communications pursued options described above and subsequently developed the following options:

- Option A: Lebanon Hills Greenway
- Option B: Mendota Hills Greenway
- Option C: First Responders Greenway

The proposed names have broad appeal, are descriptive of the trail, are memorable, and work well with other park system names and brand identity.

The County Board is authorized to establish and name County parks pursuant to Minn. Stat. §389.32. Establishing names for Dakota County regional parks or trails has typically occurred during the County Board's adoption of a park system, or master plans that include the park unit's name.

RECOMMENDATION

Communications Department staff recommends the County Board officially rename the Mendota-Lebanon Hills Greenway to one of the three proposed options.

EXPLANATION OF FISCAL/FTE IMPACTS

None.

- | | | |
|----------------------------------------------|-----------------------------------------|-----------------------------------------------|
| <input checked="" type="checkbox"/> None | <input type="checkbox"/> Current budget | <input type="checkbox"/> Other |
| <input type="checkbox"/> Amendment Requested | | <input type="checkbox"/> New FTE(s) requested |

RESOLUTION

WHEREAS, the Mendota-Lebanon Hills Greenway was created as the name for the trail when it was established in northern Dakota County, and the master plan was adopted in 2013; and

WHEREAS, the County Board is authorized to establish and name County parks pursuant to Minn. Stat. §389.32; and

WHEREAS, the County Board directed Communications staff to establish recommendations for a new official name for the regional trail; and

WHEREAS, Communications staff followed best practices for naming parks, such as dominant physical characteristics, historic features or events, and appropriate individuals or groups after whom to name the trail, and

WHEREAS, the three name options have broad appeal, are descriptive of the trail, are memorable, work well with the other park system names and the Park's brand identity; and

WHEREAS, based on best practices and research, Communications and Parks Department staff recommend adopting one of the three proposed names.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby adopts as the official name for the Mendota-Lebanon Greenway located in northern Dakota County:

Option A: Lebanon Hills Greenway

Option B: Mendota Hills Greenway

Option C: First Responders Greenway

PREVIOUS BOARD ACTION

13-442; 08/27/13

ATTACHMENTS

Attachment: Park and Greenway Naming Process

BOARD GOALS

☒ A Great Place to Live

☐ A Successful Place for Business and Jobs

☐ A Healthy Environment

☐ Excellence in Public Service

CONTACT

Department Head: Mary Beth Schubert

Author: Mary Beth Schubert

Park and Greenway Naming Process

Process explanation

- 1. Research best practices and naming strategies**
- 2. Establish name criteria—what makes a good name?**
 - Memorable
 - Unique
 - Marketable
 - Rhythm
 - Broad appeal
- 3. Develop naming guidelines. The name may**
 - a. Reflect one of the following:
 - Predominant physical feature (such as a lake, river, creek, etc.) in or adjacent to the park or park reserve;
 - A significant historic feature or event;
 - An adjacent street to the park or park reserve
 - An individual or group who has made exceptional contributions to the creation of the park and facility. Exceptional contributions include:
 - Donating or contributing a significant amount of funds (at least 50%?) for the acquisition and/or development of the park or park reserve
 - Providing direct and significant volunteer services benefiting the public as a local or community leader

Persons currently holding a local elected office or serving on a park board or committee may not be considered.
 - b. Meet the established criteria, yet not necessarily represent a physical or historic feature, adjacent street, or individual or group, but be chosen because of its appeal and marketing potential.
- 4. Research**
 - a. Review existing reports, books, pamphlets, web and other materials
 - Historic and background information
 - Materials from previous naming efforts
 - Visionary concepts
 - Other noteworthy information
 - b. Conduct surveys
 - c. Examine overlapping neighboring land uses
 - d. Visit park

5. Identify park features

- a. Catalog
- b. Prioritize
- c. Research

6. Begin creative process

- a. Research
- b. Develop language survey/bank
- c. Screen
- d. Further research screened language
- e. Evaluate
- f. Develop
- g. Test

7. Develop preliminary proposal

- a. Recommendation statement/position strategy
- b. Conceptual support images/messaging

8. Research marketing ability

9. Present recommendation for Parks endorsement

10. Present recommendation for County Board approval

11. Develop promotional collateral materials



Physical Development Committee of the Whole

Request for Board Action

Item Number: DC-3784

Agenda #: 8.1

Meeting Date: 9/17/2024

Adjournment