

March 24, 2020

STATE OF MINNESOTA)
COUNTY OF DAKOTA)
OFFICE OF COUNTY BOARD)

Call To Order And Roll Call

Commissioner Mike Slavik
Commissioner Kathleen A. Gaylord
Commissioner Thomas A. Egan
Commissioner Joe Atkins
Commissioner Liz Workman
Commissioner Mary Liz Holberg
Commissioner Chris Gerlach

Also in attendance were: Matt Smith, County Manager; James Backstrom, County Attorney; Tom Donely, First Assistant County Attorney; and Jeni Reynolds, Sr. Administrative Coordinator to the Board.

Due to the local state of emergency and social distancing, Commissioners participated in this meeting via telephone and the Board meeting was conducted under Minn. Stat. § 13D.021.

Video and audio of this County Board meeting are available on the Dakota County website.

Pledge Of Allegiance

The meeting was called to order at 9:00 a.m. by Chair Mike Slavik who welcomed everyone and opened the meeting with the Pledge of Allegiance.

Audience

Chair Slavik noted that all public comments can be sent to CountyAdmin@co.dakota.mm.us
It is noted that comments came into the County Administration inbox, these comments were distributed to all seven Commissioners.

- Theresa Eisele - Eagan, MN, Comments regarding Item 13.1 Authorization To Amend 2020 Dakota County Legislative Platform To Add Support For A State Bond Fund Request For Improvements In Vicinity Of Diffley Road, Braddock Trail, And The Northview Elementary, Dakota Hills Middle, And Eagan High School Campus In The City Of Eagan

20-141

Approval Of Agenda (Additions/Corrections/Deletions)

Motion: Joe Atkins

Second: Thomas A. Egan

On a motion by Commissioner Joe Atkins, seconded by Commissioner Thomas A. Egan, the agenda was unanimously approved.

CONSENT AGENDA

Motion: Thomas A. Egan

Second: Liz Workman

The following two items were pulled from the consent agenda and moved to the regular agenda for more discussion.

- Item 10.3 – Approval Of Release Draft Land Conservation Plan For Dakota County For Public Review.
- Item 10.23 – Authorization To Release Draft Of River To River Greenway Natural Resource Management Plan For Public Comment.

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On a motion by Commissioner Thomas A. Egan, seconded by Commissioner Liz Workman, the consent agenda was unanimously approved as follows:

20-142

Approval Of Minutes Of Meeting From March 10, 2020

Items Recommended By Board Committee

20-143

Authorization To Purchase Microsoft And Adobe Software Licensing Agreements From Software House International

WHEREAS, Dakota County's standard computing platform for both personal computers and servers is based upon Microsoft Windows, Microsoft Office, and Adobe products; and

WHEREAS, Dakota County currently licenses Microsoft Windows and Office client software and server software under a three-year agreement with Microsoft, due to expire on April 30, 2020; and

WHEREAS, renewal of the Microsoft Enterprise Agreement, Secure Computing Environment Agreement, and Select Agreement will allow County employees to continue to be licensed to use Microsoft Windows, Office and server products; and

WHEREAS, purchasing of an Adobe Enterprise Term Level Agreement will allow County employees to continue to be licensed to use existing Adobe products; and

WHEREAS, Dakota County desires to purchase the Microsoft and Adobe agreements through Software House International, which provides the best pricing available through the State of Minnesota's Statewide Enterprise Agreement; and

WHEREAS, the Microsoft Enterprise Agreement and Microsoft Secure Computing Environment Agreement, combined, will cost \$800,025 a year for each of the next three years for a total contract cost of \$2.4 million; the Microsoft Select Agreement will cost \$18,222 a year for each of the next three years for a total contract cost of \$54,666; the Adobe Enterprise Term Level Agreement will cost \$44,313 a year for each of the next three years for a total contract cost of \$132,939.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Chief Information Officer to purchase the Microsoft Enterprise Agreement, Microsoft Secure Computing Environment Agreement, Microsoft Select Agreement, and Adobe Enterprise Term Level Agreement from Software House International (State of Minnesota contract #436392) for a total amount of \$862,560 a year for each of the next three years.

County Board/County Administration

Update On 2020 National Association Of Counties Achievement Award Applications

This item was on the agenda for informational purposes only. No staff direction was given by Board members.

Community Services

20-144

Proclamation Of Public Health Week In Dakota County April 6-12, 2020

WHEREAS, the Dakota County Board of Commissioners acts as the Community Board of Health under Minn. Stat. § 145A, and has responsibility to prevent disease and disability and to promote and protect the health and safety of county citizens; and

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WHEREAS, one of the County's strategic goals is creating "A Great Place to Live" by improving the health and safety of Dakota County residents; and

WHEREAS, the week of April 6-12, 2020, is National Public Health Week, and the theme is "Looking Back, Moving Forward"; and

WHEREAS, preventing diseases before they start is critical to helping people live longer, healthier lives while managing health-related costs; and

WHEREAS, preventable chronic diseases such as heart disease, cancer, and diabetes are responsible for an average of 1,700 deaths each year (64% of all deaths) in Dakota County; and

WHEREAS, strong public health systems are critical for sustaining and improving community health.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby proclaims April 6-12, 2020, as Public Health Week in Dakota County, and encourages residents to take action to promote their health, the health of their families, and the health of their community.

20-145

Authorization To Respond To Request For Assessment Of Need/Letter Of Support From Haven Chemical Health

WHEREAS, under Minn. Rules, Pat 9530.6800, the need for additional or expanded chemical dependency treatment programs must be determined, in part, based on the recommendation of the county board of commissioners of the county in which the program will be located and the documentation submitted by the applicant at the time of application to the Minnesota Department of Human Services (DHS) for licensing; and

WHEREAS, under Minn. Rules, Part 9530.6810, when an applicant for licensure for chemical dependency treatment services requests a written statement of support for a proposed chemical dependency treatment program, the county board of commissioners of the county in which the proposed program is to be located shall submit a statement to the DHS Commissioner that either supports or does not support the need for the applicant's program; and

WHEREAS, on January 16, 2020, Dakota County received a request from Jennifer Frazer-John, Administrator, Haven Chemical Health Systems, LLC, requesting a written statement that supports the need for the program; and

WHEREAS, Dakota County local needs assessment information support a need for the type of chemical dependency treatment services proposed; and

WHEREAS, Dakota County is not taking a position about Haven Chemical Health System, LLC's qualifications or ability to meet identified needs; and

WHEREAS, the DHS will process Haven Chemical Health System, LLC's request for a license to provide services in their location in Dakota County.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners authorizes the Community Services Director to issue a letter sending this resolution to the Minnesota Department of Human Services stating the following; "Please consider this letter and enclosed resolution as Dakota County's support for a chemical dependency treatment program in Dakota County as proposed by Haven Chemical Health System, LLC".

Operations, Management And Budget

Report On Invoices Paid In February 2020

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This item was on the agenda for informational purposes only.

Physical Development

20-146

Authorization To Amend 2020 Environmental Resources Capital Improvement Program Budget And Ratify Minnesota Board Of Water And Soil Resources Grant Application For Thompson Oaks Stormwater Management And Wetland Restoration Project And Authorize Execution Of Grant Agreements

WHEREAS, by Resolution No. 18-534 (October 23, 2018), Dakota County (County) entered into a joint powers agreement with the City of West St. Paul (City) to fund land acquisition, design, and construction of the River to River Greenway through the former Thompson Oaks Golf Course parcel owned by the City; and

WHEREAS, through the joint powers agreement, the County and City have agreed to cooperatively design and construct a wetland and water quality project on the Thompson Oaks parcel and have each committed \$96,075 in matching funds to leverage a Clean Water Fund grant to support the project; and

WHEREAS, staff prepared and submitted a Clean Water Fund grant application to the Minnesota Board of Water and Soil Resources for the Thompson Oaks Stormwater Management and Wetland Restoration Project in the amount of \$576,5448 as recommended at the August 13, 2019 Physical Development Committee of the Whole meeting; and

WHEREAS, the required matching funds for the Clean Water Fund grant are \$192,149; and

WHEREAS, there are sufficient funds in the 2020 Environmental Resources Capital Improvement Program Adopted Budget to provide sufficient matching funds for the grant; and

WHEREAS, Dakota County was notified that the Minnesota Board of Water and Soil Resources approved its Clean Water Fund grant request in the amount of \$576,448.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby ratifies the submittal of the grant application and amends the 2020 Environmental Resources Capital Improvement Program Adopted Budget to reflect the anticipated revenues and expenditures associated with the Minnesota Board of Water and Soil Resources grant for the Thompson Oaks Stormwater Management and Wetland Restoration as follows:

Expense

Thompson Oaks Stormwater Management and Wetland Restoration (\$31,402)

Total Expense **(\$31,402)**

Revenue

Minnesota Board of Water and Soil Resources Grant (\$23,552)

Environmental Legacy Fund – County Match (\$ 3,925)

City of West St. Paul – Grant Match (\$ 3,925)

Total Revenue **(\$31,402)**

; and

BE IT FURTHER RESOLVED, That the Environmental Resources Director is hereby authorized to execute grant agreements, subject to approval by the County Attorney's Office as to form.

20-147

Authorization To Accept Drainage And Utility Easement On Independent School District 197 Property To Improve River To River Greenway Drainage

WHEREAS, in 2015, Dakota County constructed a portion of the River to River Greenway running adjacent to

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Marie Avenue on Henry Sibley Senior High School property owned by Independent School District (ISD) 197; and

WHEREAS, in 2019, staff were notified of slippery trail conditions due to prolonged water runoff from ISD 197 property; and

WHEREAS, to improve trail safety, staff is recommending subsurface and overland drainage from the school's northern ballfields to be collected, routed below the trail, and discharged to the City of Mendota Heights's storm sewer on Marie Avenue; and

WHEREAS, plans and specifications for the proposed drainage improvement have been coordinated with ISD 197 and City of Mendota Heights staff; and

WHEREAS, the project has an estimated total cost of \$50,000 and is anticipated to be completed by June 2020; and

WHEREAS, as the proposed improvements exist outside of the existing River to River Greenway right of way, acquisition of an additional drainage and utility easement is necessary to ensure the County's ability to maintain the proposed infrastructure in perpetuity on property legally described as:

A perpetual easement for drainage and utility purposes over, under and across that part of the Northeast Quarter of the Northeast Quarter of Section 25, Township 28 North, Range 23 West, described as follows:

Commencing at the northeast corner of said Northeast Quarter (NE1/4) of the Northeast Quarter (NE1/4) of Section twenty-five (25), thence South 89 degrees 41 minutes 50 seconds West, assumed bearing, along the north line of said Northeast Quarter (NE1/4), a distance of 305.30 feet; thence South 00 degrees 18 minutes 09 seconds East, a distance of 40.00 feet to the south right-of-way line of Marie Avenue also the point of beginning of the easement to be described; thence South 89 degrees 41 minutes 50 seconds West along said south line of Marie Avenue, a distance of 328.80 feet; thence South 00 degrees 18 minutes 10 seconds East, a distance of 5.00 feet; thence North 89 degrees 41 minutes 50 seconds East, a distance of 44.00 feet; thence South 36 degrees 00 minutes 00 seconds East, a distance of 44.63 feet; thence South 88 degrees 17 minutes 00 seconds East, a distance of 126.00 feet; thence South 00 degrees 18 minutes 10 seconds East, a distance of 31.00 feet; thence North 89 degrees 41 minutes 50 seconds East, a distance of 26.00 feet; thence North 10 degrees 40 minutes 36 seconds East, a distance of 48.00 feet; thence North 83 degrees 40 minutes 00 seconds East, a distance of 52.97 feet; thence North 89 degrees 41 minutes 50 seconds East, a distance of 45.01 feet, thence North 00 degrees 18 minutes 10 seconds West, a distance of 24.00 feet to the point of beginning.

Containing +/- 11,266 square feet

; and

WHEREAS, ISD 197 has proposed to convey the drainage and utility easement to the County at no cost.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the acceptance of a drainage and utility easement on the property legally described above from Independent School District 197 to the County of Dakota for the purpose of routing surface and subsurface drainage under the River to River Greenway.

20-148

Approval Of Right Of Way Acquisition And Authorization To Initiate Quick-Take Condemnation For County Project 91-25

WHEREAS, Dakota County (County) is proceeding with County Project (CP) 91-25; and

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WHEREAS, CP 91-25 includes the segment of County State Aid Highway (CSAH) 91 from Trunk Highway (TH) 61 to 210th Street in Douglas and Marshan Townships; and

WHEREAS, the purpose of the project is to improve safety, operations, and drainage along the corridor; and

WHEREAS, to address the purpose of the project, the County is proposing to reconstruct CSAH 91 to a two-lane highway, add turn lanes, and improve drainage; and

WHEREAS, the County is the lead agency for CP 91-25 with construction scheduled for 2020; and

WHEREAS, the County utilized public engagement for this project, including public open houses on June 25, 2018, and August 29, 2019, at the Miesville Fire Station and various individual and group meetings with landowners; and

WHEREAS, a total of 42 parcels have been identified from which right of way acquisition is necessary for CP 91-25; and

WHEREAS, the County Board previously approved right of way acquisition and relocation assistance for the parcel located at 23960 Nicolai Avenue; and

WHEREAS, the acquisition of the following 41 remaining parcels as identified in Dakota County Right of Way Map No. 485 by the County is necessary to proceed with construction of CP 91-25 as scheduled:

Parcel	Owner	Permanent Easement (sf)	Temporary Easement (sf)
2	JJM Partnership LLC, Contract Purchaser; & Weiderholts Supper Club Partnership, Contract Seller	2140	7982
4	Gerald E & Terri Lea McCarthy	6910	2114
5	Henry & Jean Hoeft	9249	532
6	Eugene & Laurie Stoffel	49841	15724
7	Eugene F & Laurie A Stoffel	4264	1235
9	Eugene F & Laurie A Stoffel	14602	0
10&11	Alvin Bauer	43079	5922
12	Michael D. Amy & Kimberly J. Rohweder	6382	0
13&15	Alvin Bauer	58761	2180
14	Thomas L & Grace E Beissel	34848	0
16	Monica A Olson & Evangeline M Waldera; Trustees of the Donald L Olson Testamentary Trust & Trustees of the Monica A Olson Revocable Trust	9410	0
17	Randy G. Kimmes Together with Roger J and Mary J Kimmes, Trustees of the Roger J Kimmes Revocable Trust	28599	5031
18&19	Daniel J & Krystal Rotty	5238	0
20	JW Harper III & Kayla Harper Oakes	10784	0
21&22	Mary & Roger Kimmes, Trustees of the Mary Kimmes Revocable Trust; and Randy & Jennifer Kimmes	73668	3853
23	Jacob & Rachel Marthaler, Trustees of the Jacob & Rachel Marthaler Living Trust, Contract Purchasers; Gary & Kathleen Fox and Thomas Fox, Contract	9974	0
24	Jacob & Rachel Marthaler	23600	0
25	Allan J & Gladys F Richards	8327	956

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26	W & B Kieffer Family LP	23500	3264
27	Jason & Lisa Swanson	16260	4977
28	Caneff Brothers	78514	0
29	Russell & Elizabeth Anderson Trustees Under the Anderson Revocable Trust Agreement	36636	0
30	Gary F & Kathleen J Fox	19147	1657
31	Gary & Kathleen Fox	19642	1532
32	Thomas J Fox	26497	2891
33	Thomas J Fox	7813	0
34	Steven & Sylvia Bauer	15709	762
35	Gary T & Jessie M Tuin	6541	1315
36&37	W&B Kieffer Family Limited Partnership & Kieffer Farm Family Limited Partnership	66077	4717
38	Daniel G Fox	2987	0
39	Alvin Bauer	57686	0
40	Alvin Bauer	38133	8981
41	Mark E Robinson	3421	0
42	Ermalinda M. Ask	3191	0
43	Travis Schuette	2213	0
44	St. Joseph Catholic Church	3212	2051

; and

WHEREAS, appraisals have been completed for the remaining 41 parcels by **Valbridge Property Advisors Minneapolis-St. Paul** for a total appraised value of \$1,063,800; and

WHEREAS, the appraisal data is classified as confidential data pursuant to Minn. Stat. § Sec. 13.44, subd. 3; and

WHEREAS, the 2020 Transportation Capital Improvement Program budget includes sufficient funding for CP 91-25 right of way acquisition.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the appraised value for the acquisition of the properties associated with the 41 parcels for County Project 91-25; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby approves proceeding with the proposed acquisitions for County Project 91-25 at the approved appraised values and in accordance with County policy and authorizes payment from the 2020 Capital Improvement Program budget; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the County Attorney's Office to initiate quick-take condemnation on all properties necessary for the project in the event that timely acquisition by direct negotiations of all properties does not appear possible.

20-149

Award Of Bid And Authorization To Execute Contract With Envirotech Services, Inc., For Purchase And Application Of Liquid Chloride On Dakota County Gravel Roads

WHEREAS, to enhance performance and service life of gravel surfacing on Dakota County (County) gravel roads, staff uses liquid material consisting of calcium or magnesium chloride on specified projects and residential areas; and

WHEREAS, the liquid material acts as a sealant extending the life of the approximately 54 miles of gravel-surfaced County roads; and

WHEREAS, to secure favorable pricing for the 2020 season, staff proposes to purchase liquid material jointly with

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other political subdivisions that have signed a joint purchasing agreement with the County by Resolution No. 04-140 (March 23, 2004); and

WHEREAS, after contract execution, political subdivisions will enter into their own purchasing contract directly with Envirotech Services, Inc.; and

WHEREAS, the total estimated amount of liquid magnesium chloride needed to enhance performance of the County's crushed quarry rock gravel roads for 2020 is listed below:

<u>Entity</u>	<u>Gallons</u>	<u>Price/ Gallon</u>	<u>Total Expense</u>
Dakota County	400,000	\$0.95	\$380,000
Political Subdivisions	150,000	\$0.95	\$142,500
Total Estimated Expense	550,000	\$0.95	\$522,500

; and

WHEREAS, depending on the County's needs, the County may increase or decrease quantities ordered throughout the season but will not exceed the budget amount of \$360,000; and

WHEREAS, one bid was received and tabulated on March 2, 2020; and

WHEREAS, the bid from Envirotech Services, Inc., in the amount of \$380,000 for Dakota County and \$142,500 for other political subdivisions is the lowest responsive and responsible bid; and

WHEREAS, the 2020 Transportation Capital Improvement Program Adopted Budget includes \$380,000 for liquid chloride and application to gravel roads; and

WHEREAS, the County Engineer recommends awarding the bid to Envirotech Services, Inc., at the bid rate of \$0.95 per gallon for an estimated 400,000 gallons and not exceeding the budget amount of \$360,000.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby awards the bid and authorizes the Physical Development Director to execute a contract with Envirotech Services, Inc., for liquid material and application for Dakota County in an amount not to exceed \$380,000, subject to approval by the County Attorney's Office as to form.

20-150

Award Of Bid And Authorization To Execute Agreement With M&J Trucking Company, LLC, To Supply Crushed Quarry Rock For Resurfacing County Gravel Roads

WHEREAS, Dakota County regularly resurfaces gravel roadways to repair deterioration and prolong its life; and

WHEREAS, in accordance with the 2030 Dakota County Transportation Plan Strategies, staff uses contractor-furnished crushed quarry rock to cost-effectively resurface portions of approximately 54 miles of gravel-surfaced County highways; and

WHEREAS, for the 2020 season, Dakota County is proposing to resurface four segments of roadway (approximately 21.8 miles) with crushed quarry rock: 2012 Gravel Resurfacing County Projects (CP):

2012 Gravel Resurfacing County Projects (CP):

CP 53-005, 2.3 miles of County Road (CR) 53 in Waterford and Sciota Township

CP 59-007, 3.5 miles of CR 59 in Sciota Township

CP 62-028, 1.0 miles of CR 62 in Vermillion Township

CP 80-026, 3.5 miles of CR 80 in Eureka and Castle Rock Townships

CP 84-005, 2.0 miles of CR 84 in Eureka Township

CP 90-005, 5.5 miles of CR 90 in Greenvale Township

CP 96-008, 4.0 miles of CR 96 in Greenvale Township

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; and

WHEREAS, it is estimated that 42,620 tons of crushed quarry rock will be required for these resurfacing projects; and

WHEREAS, three bids were received and tabulated on March 2, 2020; and

WHEREAS, the bid from M&J Trucking Company, LLC, in the amount of \$497,519, was the lowest responsive and responsible bid received; and

WHEREAS, the County Engineer recommends awarding the bid to M&J Trucking Company, LLC; and

WHEREAS, the approved 2020 Transportation Capital Improvement Program budget includes \$520,000 for gravel roadway resurfacing.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby awards the bid and authorizes the Physical Development Director to execute a contract with M&J Trucking Company, LLC, for supplying and delivering crushed quarry rock for 2020 Gravel Resurfacing County Projects, in an amount not to exceed \$497,519, subject to approval by the County Attorney's Office as to form.

20-151

Authorization To Execute Agreement No. 1036171 With Minnesota Department Of Transportation For Federal Participation In Advanced Construction And Force Account On County Project 70-23 In City Of Lakeville

WHEREAS, Dakota County (County) and the City of Lakeville (City) are partnering on County Project (CP) 70-23; and

WHEREAS, CP 70-23 includes the segment of County State Aid Highway (CSAH) 70 from Kensington Boulevard/Kenrick Avenue to CSAH 23 (Cedar Avenue); and

WHEREAS, the purpose of the project is to improve operations and capacity along a primary truck corridor; and

WHEREAS, to address the purpose of the project, the County is proposing to expand CSAH 70 to a four-lane divided-highway, modify access using raised median and local street extensions, construct trails, and add turn lanes; and

WHEREAS, the County is the lead agency for CP 70-23 with construction scheduled to begin in summer 2020; and

WHEREAS, CP 70-23 was awarded federal funding for 2020 through the Minnesota Highway Freight Program and for 2022 through the Metropolitan Council Regional Solicitation; and

WHEREAS, an agreement for federal participation with the Minnesota Department of Transportation (MnDOT) is necessary for the County to advance funds in 2020 for reimbursement by MnDOT in 2022; and

WHEREAS, the County is proposing to furnish signal equipment and fiber optic materials for installation by a contractor as part of CP 70-23; and

WHEREAS, a force account agreement is necessary to apply federal funds to County-furnished materials; and

WHEREAS, County staff and MnDOT are proposing to combine the force account work and advanced construction into a single agreement; and

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WHEREAS, a 20 percent local match, funded by the County and City in accordance with County policy, is required to utilize federal funds on the project; and

WHEREAS, staff recommends execution of an agreement with MnDOT for advanced construction and force account on the project.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute Agreement No. 1036171 with the Minnesota Department of Transportation for advanced construction and force account for County Project 70-23, subject to approval by the County Attorney's Office as to form.

20-152

Approval Of Final Plats Recommended By Plat Commission

WHEREAS, new subdivisions adjoining County highways are reviewed under the Dakota County Contiguous Plat Ordinance No. 108; and

WHEREAS, the Plat Commission examines plats prior to County Board approval; and

WHEREAS, the Plat Commission has reviewed and recommends approval of the final plats by the County Board; and

WHEREAS, the final plat approval by the County Board is subject to the conditions established by the Plat Commission review; and

WHEREAS, the following plats below require approval by their respective City Council prior to the recording of the plats.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the following final plats:

NICOLS APARTMENTS	Eagan
EMERALD ISLE	Rosemount
CEDAR CROSSINGS 2ND ADDITION	Lakeville
WEST SAINT PAUL APARTMENTS	West St. Paul

20-153

Authorization To Execute Contract Amendment With SEH, Inc., For Professional Services For River To River Greenway Robert Street Crossing

WHEREAS, Dakota County (County) and the City of West St. Paul are partnering on the River to River Greenway – Robert Street Crossing (Project); and

WHEREAS, the contract is for preliminary and final design engineering and public engagement process for developing a pedestrian underpass and trail connections of Trunk Highway 3 (Robert Street) in the City of West St. Paul; and

WHEREAS, the County is the lead agency for the Project with construction scheduled for summer 2020; and

WHEREAS, by Resolution No. 19-537 (May 21, 2019), the County executed a contract with SEH, Inc., (SEH) for preliminary and final design engineering consulting services; and

WHEREAS, the contract was in an amount not to exceed \$277,608; and

WHEREAS, SEH has successfully completed the submitted the scope of services for many of the necessary

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deliverables needed for this project; and

WHEREAS, the County and City of West St. Paul staff recognize and recommend that the proposed additional tasks performed by SEH were necessary in order to successfully complete the project; and

WHEREAS, staff negotiated an amount of \$146,240 with SEH to complete the work; and

WHEREAS, the 2019 Adopted Parks Capital Improvement Budget includes a total of \$5,800,000 of which \$640,000 is for design and construction services for the Project.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute an amendment to the contract with SEH, Inc., to perform additional services necessary to deliver the River to River Greenway – Robert Street Crossing in an amount not to exceed \$146,240, resulting in a total amended contract not to exceed \$423,848, subject to approval by the County Attorney's Office as to form.

20-154

Approval Of Grant Application Submittals For Transportation Advisory Board 2020 Federal Funding Solicitation Process

WHEREAS, the Transportation Advisory Board (TAB) is requesting project submittals for federal funding under the Fixing America's Surface Transportation (FAST) Act; and

WHEREAS, these federal programs fund up to 80 percent of project construction costs; and

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

WHEREAS, non-federal funds must be at least 20 percent of the project costs; and

WHEREAS, project submittals are due on April 16, 2020; and

WHEREAS, all projects proposed are consistent with the adopted Dakota County Comprehensive Plan; and

WHEREAS, subject to federal funding award, the Dakota County Board of Commissioners would be asked to consider authorization to execute a grant agreement at a future meeting.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the following County led projects for submittal to the TAB for federal funding:

1. County State Aid Highway (CSAH) 86 (280th Street) from westerly Dakota County line to CSAH 23 (Galaxie Avenue) in Eureka and Greenvale Townships
2. CSAH 32 (Cliff Road) from CSAH 43 (Lexington Avenue) to Trunk Highway (TH) 3 in Eagan
3. New Alignment of CSAH 9 (Dodd Boulevard) from Hayes Avenue to CSAH 23 (Cedar Avenue) in Lakeville
4. Roundabout at CSAH 11 and Burnsville Parkway in Burnsville
5. CSAH 23 (Cedar Avenue) Grade Separated Trail north of 140th Street in Apple Valley
6. Vermilion Highlands Greenway: CSAH 42 Trail and Dakota County Technical College Underpass in Rosemount
7. River to River Greenway: Trunk Highway 149 Trail & Trunk Highway 149 Underpass in Mendota Heights
8. Minnesota River Greenway: Railroad Overpass in Eagan

; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby supports the following submittals by others:

9. CSAH 23 (Cedar Avenue) Pedestrian Overpass at 147th Street Station—Lead Agency: Apple Valley
10. Eagan Transit Station: Installation of Elevator—Lead Agency: MVTA

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11. Burnsville Transit Station: Installation of Elevator and Enclosure; Backup Generator; Construction of Utility Room—Lead Agency: MVTA
12. County Road (CR) 60 extension from CSAH 9 (Dodd Blvd.) Highview Avenue—Lead Agency: Lakeville
13. Trail on CSAH 73 (Oakdale Avenue) from CSAH 8 (Wentworth Avenue) to CR 4 (Butler Avenue) and on CR 6 (Thompson Avenue) from CSAH 73 (Oakdale Avenue) to TH 52—Lead Agency: West St Paul
14. CSAH 73 (Oakdale Avenue) Trail from I-494 to Upper 55th Street—Lead Agency: Inver Grove Heights
15. CSAH 38 (McAndrews Road) Trail from Gardenvue Drive to Galaxie Avenue—Lead Agency: Apple Valley
16. North Creek Greenway from 195th to Downtown Farmington—Lead Agency: Farmington
17. Nicollet Avenue Trail from TH 13 to CSAH 32 (Cliff Road) —Lead Agency: Burnsville
18. I-35W Trail from Black Dog Trail to the South—Lead Agency: Burnsville
19. Marie Avenue Sidewalk, Bike Lanes, and ADA Improvements from 3rd Avenue North to 9th Avenue North—Lead Agency: South St Paul
20. Bidwell Avenue Sidewalk from Thompson Avenue To CR 4 (Butler Avenue) —Lead Agency: West St Paul
21. ADA Improvements at several locations in the City of Inver Grove Heights—Lead Agency: Inver Grove Heights
22. Establish a Transportation Management Association (TMA) in Dakota County to coordinate the transportation needs of employers with existing services and service providers—Lead Agency: Dakota County Regional Chamber of Commerce.

; and

BE IT FURTHER RESOLVED, That, subject to federal funding award of the city-led projects, the Dakota County Board of Commissioners will provide the local match for regional greenway projects and for non-greenway projects will provide Dakota County's share of the matching funds consistent with Dakota County transportation cost share policies.

20-155

Authorization To Execute Contract With Kimley-Horn And Associates, Inc., For Professional Services For County Project 97-207, School Travel Area Safety Assessment

WHEREAS, to provide a safe and efficient transportation system, Dakota County (County) is partnering with the Minnesota Department of Transportation (MnDOT) on County Project (CP) 97-207 the School Travel Area Safety Assessment; and

WHEREAS, CP 97-207, will look at overall safety for students traveling to and from schools located directly adjacent to county roads or state highways within Dakota County with a focus on pedestrian and bicycle travel; and

WHEREAS, the goal of the assessment is to identify potential safety improvements for school travel area in a consistent manner systemwide; and

WHEREAS, Dakota County and MnDOT will partner on the project; and

WHEREAS, Dakota County is the lead agency on the project, and MnDOT is participating to evaluate schools' locations directly adjacent to state highways; and

WHEREAS, the scope of work will include assessing the school travel areas to identify issues in a systemwide manner and potential improvement actions across engineering, education, and enforcement focus areas; and

WHEREAS, staff sent a request for proposals and received proposals from three qualified professional consultants; and

WHEREAS, County Staff along with MnDOT and city representatives reviewed the proposals; and

WHEREAS, Kimley-Horn and Associates, Inc., was selected as the preferred consultant based on the proposal which included review of six criteria: proposed project approach, understanding of the scope of work, public

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participation approach, qualifications of the project team, completeness of quality control approach, and cost proposal best value; and

WHEREAS, the County Engineer recommends execution of a contract with, Kimley-Horn and Associates, Inc., for Professional consulting services for CP 97-207 in a contract amount not to exceed \$121,875; and

WHEREAS, the Adopted 2020 Transportation Capital Improvement Program Adopted Budget includes \$300,000 in Future Studies/Professional Services; and

WHEREAS, MnDOT will pay their share of costs based on the number of school locations through the existing Master Partnership Contract approved by Resolution No. 17-344, (June 20, 2017).

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute a contract with Kimley-Horn and Associates, Inc., to perform professional consulting services for County Project 97-207 in an amount not to exceed \$121,875 subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes a budget amendment to transfer \$121,875 from Professional services to County Project 97-207, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the 2020 Transportation Capital Improvement Program is hereby amended as follows:

Expense	
Project 97-207	\$121,875
Future Studies/Professional Services	<u>(\$121,875)</u>
Total Expense	\$0

Update On Dakota County 2040 Transportation Plan

This item was on the agenda for informational purposes only.

20-156

Authorization To Execute Second Amendment To Contract With AECOM, Inc., For Additional Engineering Services For County Project 91-25

WHEREAS, Dakota County is the lead agency for County Project (CP) 91-25 which includes public involvement, drainage analysis, utility coordination, final design, and all other aspects to reconstruct County State Aid Highway (CSAH) 91 from 210th Street to Trunk Highway 61 in the City of Miesville; and

WHEREAS, by Resolution No. 18-134 (March 13, 2018) the County Board authorized the execution of a contract with AECOM Technical Services, Inc., (AECOM) for engineering services on CP 91-25 in the amount of \$349,896.50; and

WHEREAS, by Resolution No. 19-750 (October 8, 2019), the County Board authorized the execution of a contract amendment with AECOM for additional engineering services on CP 91-25 in the amount of \$256,563; and

WHEREAS, the first contract amendment included the selection of a preferred drainage alternative by the County and a temporary connection to a future project on CSAH 91; and

WHEREAS, upon completion of additional analysis and public involvement, the County reconsidered and pursued an alternative drainage design that further reduced impacts to properties and accommodated drainage; and

WHEREAS, after additional considerations of right of way impacts, County staff decided to include a permanent

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transition to existing CSAH 91 to avoid multiple right of way acquisitions on a parcel; and

WHEREAS, additional drainage analysis, design modifications, and box culverts are needed to accommodate the change of preferred drainage alternative and the change in the connection at the north end of the project; and

WHEREAS, a potential design modification may be needed to avoid impacts to a parcel with a church; and

WHEREAS, an amendment to the existing contract is requested to account for this additional work; and

WHEREAS, staff has negotiated with AECOM for compensation in an amount not to exceed \$95,050.00 for the additional services provided; and

WHEREAS, staff recommends authorizing a second contract amendment with AECOM.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute a contract amendment with AECOM Technical Services, Inc., to include additional design services for County Project 91-25 in an amount not to exceed \$95,050.00, which would result in a total amended contract amount not to exceed \$701,509.50, including reimbursable items, subject to approval by the County Attorney's Office as to form.

20-157

Authorization For Transportation Director/County Engineer To Vote No On Construction Of Proposed Noise Barriers Along County Highway 26 And 63 For County Projects 26-54 And 63-27 In Cities Of Eagan And Inver Grove Heights

WHEREAS, to provide a safe and efficient transportation system, Dakota County (County), the City of Eagan, and the City of Inver Grove Heights (Cities) are proceeding with County Project (CP) 26-54 and CP 63-27; and

WHEREAS, CP 26-54 and CP 63-27 will improve safety and increase capacity on County State Aid Highway (CSAH) 26 from Trunk Highway (TH) 55 to TH 3 and CSAH 63 from the Archer Trail area to 65th Street and ultimately connecting back into existing Argenta Trail; and

WHEREAS, CP 26-54 consists of expanding CSAH 26 from a two-lane undivided highway to a four-lane divided highway, intersection improvements at CSAH 26 and CSAH 63, additional turn lanes at all intersecting public roadways, and drainage improvements in the cities of Eagan and Inver Grove Heights; and

WHEREAS, CP 63-27 consists of reconstructing CSAH 63 as a two-lane divided roadway on a new alignment to improve the skewed intersection with CSAH 26, additional turn lanes at all intersecting public roads, and drainage improvements in the city of Inver Grove Heights; and

WHEREAS, Dakota County is the lead agency for CP 26-54 and CP 63-27 with construction scheduled to begin in 2022; and

WHEREAS, Dakota County roadways without full control of access are exempt from Minnesota's state noise rules, according to Minn. Stat. § 116.07.2a; and

WHEREAS, shared-use trails are proposed for construction along both sides of CSAH 26 and CSAH 63; and

WHEREAS, trails on both sides allow safe accommodation of walkers, runners, and cyclists and help support multi-modal transportation use of the corridors; and

WHEREAS, the trails on both sides along this corridor are consistent with the Dakota County 2030 Transportation Plan; and

WHEREAS, five noise barriers along CSAH 26 and one noise barrier along CSAH 63 are under consideration as

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part of the projects due to federal requirements for noise mitigation; and

WHEREAS, the Federal Highway Administration (FHWA) requires that the noise monitoring mitigation apply to trails being constructed as part of a federal project with trails being considered recreational use from a noise threshold; and

WHEREAS, noise barrier reasonableness decisions are based on a consideration of three factors:

- 1) noise reduction design goal,
- 2) cost-effectiveness, and
- 3) the viewpoint of benefited residents and property owners based on a weighted vote; and

WHEREAS, cost-effective noise abatement must cost less than or equal to \$78,500 per benefited receptor; and

WHEREAS, five of six walls are considered cost-effective only because of the determination that trails be considered as noise receptors; and

WHEREAS, noise barriers will be proposed for construction unless more than 50 percent of the total eligible voter points received are not in favor of the barrier; and

WHEREAS, benefitted receivers are those properties that would receive a noise benefit (defined as a reduction of at least five decibels) from the construction of the noise barrier; and

WHEREAS, properties identified as a benefitted receiver have an opportunity to vote on whether or not the proposed barrier should be built; and

WHEREAS, the estimated costs of constructing noise mitigation is approximately \$5,000,836 and makes the project financially unfeasible; and

WHEREAS, the proposed noise barriers are also anticipated to generate ongoing maintenance issues including difficulty with mowing close to barriers, snow storage, trail icing during winter, litter accumulation, graffiti, and vandalism; and

WHEREAS, based on comments received at the public meeting and through numerous emails, many of the residents both benefitting and not benefitting from the noise reduction believe it would negatively impact the aesthetics, feel of the community, and market values with reduces curb appeal over the natural.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Transportation Director/County Engineer to vote no on construction of noise barriers along County State Aid Highways 26 and 63 for County Projects 26-54 and 63-27 in Eagan and Inver Grove Heights.

20-158

Authorization To Adopt Study Report And Preliminary Design For County Project 32-87 In City Of Eagan

WHEREAS, to provide a safe and efficient transportation system, Dakota County is partnering with the City of Eagan (City) on County Project (CP) 32-87; and

WHEREAS, CP 32-87 is the traffic analysis, corridor study, public participation, and preliminary engineering of County State Aid Highway (CSAH) 32 (Cliff Road) from CSAH 43 (Lexington Avenue) to Trunk Highway (TH) 3 in the City of Eagan; and

WHEREAS, CP 32-87 has identified recommended improvements for CSAH 32 (Cliff Road) from CSAH 43 (Lexington Avenue) to east of Dodd Road; and

WHEREAS, Dakota County staff will coordinate with the Minnesota Department of Transportation for their upcoming TH 3 corridor study to determine recommendations for CSAH 32 (Cliff Road) from Dodd Road to TH 3;

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and

WHEREAS, the CSAH 32 Corridor Study (Study) incorporated numerous opportunities and proactive efforts for public and stakeholder involvement throughout the course of the Study, including open house meetings and online and social media outreach; and

WHEREAS, the approved 2020–2024 Transportation Capital Improvement Program budget includes sufficient funding for CP 32-87.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby adopts the County State Aid Highway 32 Corridor Study.

Planning Commission Update

This item was on the agenda for informational purposes only.

20-159

Authorization To Execute Joint Powers Agreement With Waterford Township For Bridge Rehabilitation And Amend Transportation Capital Improvement Program Budget

WHEREAS, in January 2020, Waterford Township was awarded Legacy grant for \$342,818 for Phase I rehabilitation of the historic Waterford Bridge (Bridge L3275); and

WHEREAS, the Waterford Bridge is on the planned Dakota County Greenway System and is a potential crossing of the Cannon River by the Mill Towns State Trail (MTST); and

WHEREAS, the Waterford Bridge, constructed in 1909, represents one of the earliest camelback through truss rigid-connected bridges in Minnesota that is still in existence and was entered in the National Register of Historic Places in 2010; and

WHEREAS, the Waterford Bridge is an important community landmark that Waterford Township has made significant efforts to preserve; and

WHEREAS, Waterford Township's goal is that the historic bridge be fully rehabilitated so future generations can appreciate the unique engineering significance and that the bridge will eventually become a crossing for the MTST; and

WHEREAS, Waterford Township desires to enter into a joint powers agreement with Dakota County for the rehabilitation of the historic Waterford Bridge parallel to Canada Avenue W.; and

WHEREAS, Dakota County will provide staff administration of the project for Waterford Township for the duration of the project; and

WHEREAS, Dakota County will advance fund the grant amount of \$342,818 and will be reimbursed by Waterford Township; and

WHEREAS, Waterford Township will continue to own and maintain the bridge; and

WHEREAS, staff recommends establishing a JPA with Waterford Township to administer and advance fund Phase 1 Bridge rehabilitation.

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 Waterford Township for Dakota County to administer the project and for Dakota County to advance fund the grant amount of \$342,818, to be reimbursed by Waterford Township, subject to approval by the Dakota County Attorney's Office as to form; and

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BE IT FURTHER RESOLVED, That the 2020 Transportation Capital Improvement Program be amended as follows:

Expense	
CP 97-208	<u>\$342,818</u>
Total Expense	\$342,818
Revenue	
CP 97-208 - Due From Other Agencies	<u>\$342,818</u>
Total Revenue	\$342,818

20-160

Schedule Public Hearing For Dakota County 2020–2024 Five-Year Consolidated Plan And Fiscal Year 2020 Action Plan For Community Development Block Grant, HOME Investment Partnerships, And Emergency Solutions Grant Programs

WHEREAS, Dakota County is an Entitlement County for funds through the Community Development Block Grant (CDBG) Program and Emergency Solutions Grant (ESG) Program and a Participating Jurisdiction for the HOME Investment Partnerships (HOME) Program; and

WHEREAS, the Dakota County Community Development Agency (CDA) administers the CDBG, ESG, and HOME programs on behalf of Dakota County, thereby requiring agreements between the U.S. Department of Housing and Urban Development (HUD) and Dakota County for the CDBG, ESG, and HOME funds and between Dakota County and the Dakota County CDA for CDBG, ESG, and HOME program administration; and

WHEREAS, HUD requires the development and submission of the 2020–2024 Five-Year Consolidated Plan that outlines the strategies and objectives of Dakota County’s use of the federal funds; and

WHEREAS, HUD further requires the development and submission of the Fiscal Year (FY) 2020 One-Year Action Plan that proposes allocation of the annual CDBG, HOME, and ESG funds to local governments and housing providers in the County; and

WHEREAS, CDA staff has worked with participating communities to identify CDBG, HOME, and ESG activities for FY 2020; and

WHEREAS, the proposed activities for HUD funds meet the housing and community development priorities identified in the draft 2020–2024 Five-Year Consolidated Plan; and

WHEREAS, the Dakota County FY 2020 CDBG allocation is \$1,928,343; the Dakota County FY 2020 HOME allocation is \$992,967 (Consortium total of \$2,955,220) including program income; and the Dakota County FY 2020 ESG allocation is \$165,857; and

WHEREAS, CDA staff recommends funding 24 CDBG eligible activities for the 12 cities with populations more than 10,000 with direct allocation funding, three CDBG eligible activities with competitive pool funds for cities and townships with populations less than 10,000, and five Countywide activities with FY 2020 CDBG funds; and

WHEREAS, CDA staff recommends funding three HOME eligible activities as follows: a future affordable housing development at a site to be determined (70%), Community Housing Development Organization activities (15%), and grant administration (15%) with FY 2020 HOME funds; and

WHEREAS, CDA staff recommends allocating funding four ESG eligible activities as follows: rapid re-housing activities (76%), emergency shelter operations (16%), Homeless Management Information Systems (0.5%), and grant administration (7.5%) with FY 2020 ESG funds; and

WHEREAS, HUD requires a public hearing to receive comments and inform the public on the Dakota County 2020–2024 Five-Year Consolidated Plan and the FY 2020 One-Year Action Plan that outlines the strategies and

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objectives for the proposed allocation of FY 2020 CDBG, ESG, and HOME funds.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby schedules a public hearing for April 21, 2020, at 9:00 a.m. in the Boardroom, Administration Center, 1590 Highway 55, Hastings, MN, to receive comments on the 2020–2024 Five-Year Consolidated Plan and the Fiscal Year 2020 One-Year Action Plan, including proposed Community Development Block Grant Program activities with a budget of \$1,928,343, HOME Investment Partnerships Program activities with a budget of \$992,967 (Consortium total of \$2,955,220) including program income, and Emergency Solutions Grant Program activities with a budget of \$165,857; and

BE IT FURTHER RESOLVED, That Dakota County staff is hereby authorized and directed to work with the Dakota County Community Development Agency to publish the public hearing notice in the Dakota County Tribune, the Northfield News, the Hastings Star Gazette, and the Star Tribune, and to post said notice on the websites of the participating cities, the Dakota County Community Development Agency website at www.dakotacda.org, and the Dakota County website at www.dakotacounty.us.

20-161

Amendment To Application Deadline For The 2020 Landfill Host Community Environmental Legacy Fund Grant Pilot Program

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby amends the application deadline of the Landfill Host Community Environmental Legacy Grant Pilot Program to May 27, 2020.

20-162

Authorization To Execute A Contract With St. Paul Linoleum And Carpet Company For 2020 Carpet Replacement Program At Western Service Center

WHEREAS, replacement of the existing carpeting for the Western Service Center began in 2019, and the balance of work is included in the 2020–2024 Building Capital Improvement Program (CIP) Adopted Budget; and

WHEREAS, bid document and specifications were prepared by Collaborative Design Group and Capital Projects Management staff; and

WHEREAS, four competitive bids were received on February 20, 2020; and

WHEREAS, St. Paul Linoleum and Carpet Company has submitted the low bid of \$398,095; and

WHEREAS, staff has reviewed the qualifications of the bidder and recommend award to St. Paul Linoleum & Carpet Company as the lowest responsive and responsible bidder in an amount not to exceed \$398,095 for the 2020 Carpet Replacement Program at Western Service Center project; and

WHEREAS, sufficient funds are available within the 2020–2024 Building CIP Adopted Budget for this project.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Parks, Facilities, and Fleet Management Director to execute a contract for the 2020 Carpet Replacement Program at Western Service Center project to St. Paul Linoleum and Carpet Company, 2956 Center Court, Eagan, MN 55121, in an amount not to exceed \$398,095, subject to approval by the County Attorney's office as to form.

20-163

Approval Of Schematic Design And Authorization To Execute Contract For Final Design Services For Minnesota River Greenway Fort Snelling Segment

WHEREAS, the Minnesota River Greenway (MNRGW) runs along the south side of the Minnesota River in Eagan and Burnsville, extending from I35-W in Burnsville to Lilydale Regional Park in Saint Paul; and

WHEREAS, by Resolution No. 11-516 (October 18, 2011), the Dakota County Board of Commissioners adopted

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the MNRGW Plan; and

WHEREAS, the rapidly developing and robust recreational network that has developed in the area has created increased demand for completion of the trail connection between the recently constructed Lone Oak Trail Head, the soon-to-be-constructed Cedar Nicols Trailhead, and the MNRGW Black Dog Segment to the west; and

WHEREAS, by Resolution 18-487 (October 11, 2018), the Dakota County Board of Commissioners authorized staff to proceed with consultant selection for the project to include 30 percent design for the river bottom trail (Project Component 1) and 100 percent design and engineering for the Union Pacific Railroad Bridge (Project Component 2); and

WHEREAS, the design has progressed to 30 percent (schematic design) level for both project components; and

WHEREAS, the current request will provide the remaining design required to complete the river bottom trail (Project Component 1); and

WHEREAS, the project request for proposals (RFP) was released on February 12, 2020, and sent to eleven Consultant firms with two proposals submitted; and

WHEREAS, the proposals were reviewed by staff from Dakota County Grounds Maintenance, Dakota County Planning, Dakota County Transportation, Dakota County Capital Projects Management, and Fort Snelling State Park; and

WHEREAS, the two teams were interviewed on Friday, March 6, 2020 and the staff team unanimously recommended the staff team from SEH, Inc.; and

WHEREAS, funding for the river bottom trail (Project Component 1) has been secured and staff plans to pursue a 2020 Metropolitan Council Regional Solicitation Grant (MCRS) to provide the remaining funding for the Union Pacific Railroad Bridge (Project Component 2); and

WHEREAS, the MCRS grants are awarded on a point-based system reflecting many criteria including project readiness and land control status; and

WHEREAS, to better position the County for a successful grant award, staff was, by Resolution 18-487 (October 11, 2018), directed to advance project design and, by Resolution 20-078 (February 4, 2020), was authorized to negotiate and secure all required Land Control permissions prior to the grant solicitation in April 2020; and

WHEREAS, staff recommends the Dakota County Board of Commissioners approve Schematic Design of Project Components 1 & 2 and authorize a contract for final design and engineering of the river bottom trail (Project Component 1) with SEH, Inc., in an amount not to exceed \$279,988, subject to approval as to form by County Attorney's Office.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners approve the Schematic Design for both the river bottom trail (Project Component 1) and for the Union Pacific Railroad Bridge (Project Component 2); and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Parks, Facilities and Fleet Director to execute a contract for final design and engineering of the river bottom trail (Project Component 1) with SEH, Inc., in an amount not to exceed \$279,988, subject to approval by the County Attorney's Office as to form.

20-164

Acceptance Of Mississippi River Greenway Trail Alternative Alignment Along Pine Bend Trail Road In City Of Rosemount For County Project 98-006

WHEREAS, County Project (CP) 98-006, Mississippi River Greenway (MRG): Rosemount East segment, is the

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last remaining segment of regional trail to be secured, designed, and constructed in order to connect the national Mississippi River Regional Trail (MRRT) from Hastings to South St. Paul; and

WHEREAS, CP 98-006, MRG: Rosemount East, includes construction of 2.7 miles of trail from its connection with MRG West to Spring Lake Park Reserve; and

WHEREAS, in the fall of 2017, based upon project cost and land control concerns with the current alignment along Highway 55, staff contacted representatives from CF Industries (CFI), Flint Hills Resources (FHR), Union Pacific (UP), and the City of Rosemount to consider an alternative design option for MRRT East along Pine Bend Trail Road; and

WHEREAS, in follow up meetings with FHR, CFI, and UP, all expressed an interest in and willingness to seek corporate approval to transfer ownership of additional road right of way needed to allow the County to work with the City of Rosemount to realign Pine Bend Trail to allow for an on-road trail option; and

WHEREAS, the opportunity to secure a less costly design with fewer land acquisition challenges, which would provide a safe and better recreational experience than the Brown Alignment design, was deemed by the County Board to be worth the risks associated with delaying the current project in order to fully vet this opportunity; and

WHEREAS, multiple design options have been developed over the past two years to provide for a safe and better recreational trail experience along Pine Bend Trail, including options that can be completed within the prescriptive right of way of Pine Bend Trail Road at the same or lower cost than the Brown Alignment; and

WHEREAS, CFI and Mosaic have formal written letters of support for MRG: Rosemount East's Alternative 3 that maintain Pine Bend Trail as a two-way roadway with barrier separation for the greenway trail system; and

WHEREAS, UP has provided verbal support after reviewing the alternative design and proposed railroad crossings; and

WHEREAS, the City of Rosemount and Dakota County are pursuing a joint powers agreement to advance design and construction of the remaining section of the Mississippi River Greenway in Rosemount.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby adopts the Mississippi River Greenway: Rosemount East Alternative 3 that maintains Pine Bend Trail Road as a two-way roadway with barrier separation for the greenway trail system; and

BE IT FURTHER RESOLVED, That should Union Pacific not approve the revised crossing designs along Pine Bend Trail, staff are directed to continue to pursue development of the one-way option along Pine Bend Trail.

Public Services And Revenue

20-165

Authorization To Execute Contract With National Business Systems, Inc For Digitization Of Documents

WHEREAS, the Dakota County Property Taxation and Records maintains approximately 1.6 million pre-1995 mortgage, deed and miscellaneous documents in their current formats including paper copy, aperture card microfiche and microfilm; and

WHEREAS, it is the responsibility of the County to ensure the preservation of the information contained in all land records and allow public examination of those records in accordance with Minn. Stat. § 386; and

WHEREAS, the current document forms are experiencing deterioration due to continued examination and in need of conversion to maintain their preservation and accessibility to the public; and

WHEREAS, Minn. Stat. § 357.182, Subd.7, sets aside \$11.00, of the \$46.00 total recording fee per document, for the purpose of ensuring compliance with recording requirements and supporting enhancements to the recording

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process and data integration projects. The funds reside in fund balance until authorized by the County Board of Commissioners for supporting enhancements; and

WHEREAS, the Dakota County Board of Commissioners authorized \$600,000 of the fund balance, to be used for contracting with a licensed records imaging company as part of the Property Taxation and Records 2020 Budget; and

WHEREAS, Dakota County Property Taxation and Records solicited vendors through a Request for Proposal and identified National Business System, Inc., as the preferred vendor; and

WHEREAS, Dakota County Property Taxation and Records seeks to contract with National Business Systems, Inc to digitize all pre-1995 mortgage, deed and miscellaneous documents and index them into our current land records management software; and

WHEREAS, the total project cost proposal is \$599,216, based on an estimated image volume, and a \$35.00 per hour charge for any necessary manual enhancements; and

WHEREAS, the estimated completion date of the project is December 31, 2021.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Property Taxation and Records Director to execute a contract with National Business Systems, Inc. for the digitization of pre-1995 Dakota County land records documents at a cost not to exceed \$600,000, subject to approval by the County Attorney's Office as to form.

REGULAR AGENDA

County Board/County Administration

Legislative Update

This item was on the agenda for informational purposes only. Stinson LLP Government Relations Director Paul Cassidy briefed this item and responded to questions. No staff direction was given by Board members.

Update On Monitoring Of Coronavirus Outbreak

This item was on the agenda for informational purposes only. Director of Public Health Bonnie Brueshoff and Risk-Homeland Security Manager BJ Battig briefed this item and responded to questions. No staff direction was given by Board members.

Physical Development

20-166

Approval Of Release Draft Land Conservation Plan For Dakota County For Public Review

This item was moved from the consent agenda to the regular agenda. Discussion was held regarding the review period. The comment period was updated to reflect a 60-day review period, rather than a 30-day review period.

Motion: Mary Liz Holberg

Second: Thomas A. Egan

WHEREAS, Dakota County developed a Farmland and Natural Areas Protection Plan in 1998 in response to public concerns about the loss of natural areas and farmland to growth and development; and

WHEREAS, by Resolution No 20-90 (January 29, 2002), the County Board of Commissioners adopted the Farmland and Natural Areas Protection Plan; and

WHEREAS, after passage of a bonding referendum to fund permanent protection of high-quality natural areas

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and prime farmland in November 2002 and development of Farmland and Natural Areas Program Guidelines, the County began implementing the Farmland and Natural Areas Program in 2003 to protect and improve land outside of the County park system; and

WHEREAS, in 2018, the County Board initiated an update to the Farmland and Natural Areas Protection Plan to reflect program experience and develop a more comprehensive approach to contemporary conservation issues and new opportunities; and

WHEREAS, on July 9, 2019, the Physical Development Committee of the Whole reviewed public engagement and research findings, including draft goals and strategies and potential new initiatives proposed for the new Land Conservation Plan for Dakota County (Plan); and

WHEREAS, based on comments received from the Physical Development Committee of the Whole and continued public engagement, County staff has developed a draft Plan; and

WHEREAS, the Dakota County Planning Commission reviewed the draft Plan at its January 23 and February 27, 2020, meetings and recommended that the Physical Development Committee of the Whole release the draft Plan for Dakota County for a 60-day review period.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves release of the draft Land Conservation Plan for Dakota County for a 60-day review period from March 25 to May 25, 2020; and

BE IT FURTHER RESOLVED, That public and agency comments on the draft Land Conservation Plan for Dakota County will be provided to the Dakota County Planning Commission for further review and approval and a final draft will then be submitted to the County Board for final review and approval.

Ayes: 7

Nays: 0

20-167

Authorization To Release Draft River To River Greenway Natural Resource Management Plan For Public Comment

Motion: Mary Liz Holberg

Second: Kathleen A. Gaylord

This item was moved from the consent agenda to the regular agenda. A vote was taken on this item that tabled it to the Physical Development Committee of the Whole for May 12, 2020, to allow for more discussion.

Ayes: 7

Nays: 0

20-168

Authorization To Amend 2020 Dakota County Legislative Platform To Add Support For A State Bond Fund Request For Improvements In Vicinity Of Diffley Road, Braddock Trail, And The Northview Elementary, Dakota Hills Middle, And Eagan High School Campus In The City Of Eagan

Transportation Director/County Engineer Mark Krebsbach briefed this item and responded to questions. Theresa Eisele comments were noted for this agenda item.

Motion: Joe Atkins

Second: Thomas A. Egan

WHEREAS, to provide safe and efficient transportation system, Dakota County is partnering with the City of Eagan (City) and Independent School District 196 (District) to consider improvements in the vicinity of Diffley Road (CSAH 30), Braddock Trail, and the Northview Elementary, Dakota Hills Middle, and Eagan High School campus (campus) in Eagan; and

WHEREAS, this effort is intended to improve vehicular, pedestrian, and bicycle operation and safety on and

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adjacent to the school campuses; and

WHEREAS, neighborhood meetings were held to discuss a proposed CSAH 30 and Braddock Trail intersection project on November 28, 2018 and then broader traffic and pedestrian issues beyond the intersection on CSAH 30, Braddock Trail, and the school campus on February 11, 2019; and

WHEREAS, on November 1, 2019 a tragic crash on CSAH 30 resulted in the death of a middle school student raising additional issues not previously identified and the desire for improvements in this area as quickly as possible; and

WHEREAS, State elected officials indicated interest in pursuing State bond funds during the 2020 legislative session to help pay for capital project costs and staff have been recently asked to prepare a State Bonding Request Overview form to facilitate pursuit of these funds; and

WHEREAS, subsequent public meetings were held to further understand traffic and pedestrian issues and discuss various project options on December 11 and 16, 2019; and

WHEREAS, a public meeting to share Diffley Road, Braddock Trail, and school campus project concepts was held on February 27, 2020; and

WHEREAS, the proposed project concept consists of Braddock Trail and school entrance intersection modifications, school parking lot drop off and circulation modifications, a new access roadway from the south parking lot to CSAH 30 at the Daniel Drive intersection, and reconstruction of CSAH 30 from a four-lane to two-lane divided section from Lexington Avenue to approximately 2,000 feet east of Braddock Trail, with roundabouts at Daniel Drive and Braddock Trail, pedestrian crossing devices, and corridor street lighting; and

WHEREAS, the estimated project construction cost is \$4,620,000 which is the amount of the State bond request; and

WHEREAS, the local share of the proposed project would be project development, engineering, and construction administration costs currently estimated to be \$1,200,000; and

WHEREAS this project is not currently included in the County legislative platform so an amendment to add this project and support the state bond request is proposed to meet 2020 legislative session schedules; and

WHEREAS, staff will provide further details to the Board on the proposed project concept, schedule, cost estimates, and a request to enter into a final design contract at a later date, likely in May 2020.

NOW, THEREFORE, BE IT RESOLVED, That the 2020 Dakota County Legislative Platform is amended to include support for a State Bond Fund request, for improvements in the vicinity of Diffley Road (CSAH 30), Braddock Trail, and the Northview Elementary, Dakota Hills Middle, and Eagan High School campus in Eagan Minnesota; and

BE IT FURTHER RESOLVED, That the Transportation Director/County Engineer is authorized to prepare a Minnesota House 2020 Bonding Project Overview Form.

Ayes: 7

Nays: 0

Closed Executive Session

20-169

Authorization To Approve Settlement With Susan L. Huggins And Jeffrey Bergquist (Parcel 10) For County Project 26-47 Acquisition

This item did not go into closed session.

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Motion: Thomas A. Egan

Second: Joe Atkins

WHEREAS, to provide a safe and efficient transportation system, Dakota County (County), Minnesota Department of Transportation and the City of Inver Grove Heights (City) are partnering on County Project (CP) 26-47; and

WHEREAS, CP 26-47 involves the conversion of the existing all way stop intersection of County State Aid Highway (CSAH) 26 (70th Street) and Trunk Highway (TH) 3 (South Robert Trail) to an urban roundabout with pedestrian/bike accommodations; and

WHEREAS, Dakota County is the lead agency for CP 26-47 right of way acquisition; and

WHEREAS, to construct the recommended improvements, Dakota County must acquire certain property rights from Susan Huggins and Jeffrey Bergquist (Landowners) identified in Dakota County Right of Way Map 470 as Parcel 10 totaling 7,188 Square Feet; and

WHEREAS, the County's appraisal and offer to the Landowners for Parcel 10 was \$25,200; and

WHEREAS, the Landowners rejected the offer seeking additional damages related to the property; and

WHEREAS, the parties in this action have agreed to settle all damages caused by the taking whereby the County will pay the Landowners \$55,700, subject to approval by the County Board; and

WHEREAS, the County Attorney and Transportation Department staff recommend approval of the settlement agreement as being a fair and equitable settlement of the action in view of the impacts to the property, real estate market data, the time, additional expense and risk involved in continued litigation and belief that the settlement represents an appropriate allocation of the prospects for success if the matter is allowed to proceed to a commissioners' hearing; and

WHEREAS, the adopted 2020 Transportation Capital Improvement Program budget, including carryovers, includes \$6,839,000 for CP 26-47; and

WHEREAS, the project will receive a maximum of \$2,120,000 in Federal funding; and

WHEREAS, if the recommended settlement is accepted, the increase of \$30,500 in right of way costs will be shared in accordance with County policy between the City of Inver Grove Heights: 45 percent (\$13,725) and Dakota County: 55 percent (\$16,775); and

WHEREAS, after accounting for Federal funds, project costs are estimated as Dakota County \$2,303,775 (48%) and the City \$2,445,725 (52%) for a total project cost of \$6,869,500.00; and

WHEREAS, a budget amendment of \$30,500 is requested to use \$16,775 of Transportation fund balance and to increase the City share by \$13,725 for CP 26-47.

NOW, THEREFORE, BE IT RESOLVED, that the Dakota County Board of Commissioners approves the acquisition of property from Susan Huggins and Jeffrey Bergquist identified in CP 26-47 as Parcel 10, Right of Way map 470, in the amount of \$55,700 as being in the best interest of the County and authorizes the County Attorney to arrange for final payment of the acquisition amount and to effectuate final settlement of the acquisition between the parties.

BE IT FURTHER RESOLVED, that the 2020 Transportation Capital Improvement Program budget is hereby amended to include additional funds as follows:

Expenses	
CP 26-47	<u>\$30,500</u>
Total Expenses	\$30,500
Revenue	
Transportation Fund Balance	\$16,775

March 24, 2020

City of Inver Grove Heights
Total Revenue

\$13,725
\$30,500

Ayes: 7

Nays: 0

Interagency Announcements/Reports

Interagency announcements and reports were then presented.

County Manager's Report

County Manager Matt Smith noted that the County is redesigning operations as we go. Essential business is being done using technology and other resources. The County will need to postpone longer-term projects as need be.

Information

See Attachment A - Future Board Meetings And Other Board Activities

20-170

Adjournment

Motion: Kathleen A. Gaylord

Second: Thomas A. Egan

On a motion by Commissioner Kathleen A. Gaylord, seconded by Commissioner Thomas A. Egan, the meeting was adjourned at 10:45 a.m.

Mike Slavik
Chair

ATTEST

Matt Smith
County Manager