DAKOTA COUNTY
PHYSICAL DEVELOPMENT COMMITTEE OF THE WHOLE

Meeting Minutes

December 3, 2019
Conference Room L139, Western Service Center

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: Matt Smith, County Manager; Tom Donely, Assistant County Attorney; Steve Mielke, Physical Development Division Director; Liz Hansen, Administrative Coordinator.

The meeting was called to order at 10:27 a.m. by Chair Thomas A. Egan.

The Audio recording of this meeting is available upon request.

Introductions

Commissioner Egan introduced two new staff members from Physical Development.

Audience

Commissioner Egan asked if there was anyone in the audience who wished to address the Committee of the Whole on an issue not on the agenda or to discuss an item on the consent agenda. Holly Jenkins from Eagan, Minnesota came forward and was given five minutes to speak.

Approval Of Agenda (Additions/Corrections/Deletions)

On a motion by Commissioner Kathleen A. Gaylord, seconded by Commissioner Mike Slavik, the agenda was unanimously approved.

Consent Agenda

On a motion by Commissioner Kathleen A. Gaylord, seconded by Commissioner Mike Slavik, the consent agenda was approved as follows:

5.1 Approval Of Minutes

5.2 Update On Phase 2 Of Draft Natural Resource Management Plan For Whitetail Woods Regional Park

This item was on the agenda for informational purposes only.

5.3 Update On Dakota County 2040 Transportation Plan
This item was on the agenda for informational purposes only.

5.4  Authorization To Amend Joint Powers Agreement With City Of Burnsville For Lake Marion Greenway - Sunset Park To Murphy Hanrehan Regional Park Design And Acquisition Cost Share

WHEREAS, by Resolution No. 19-036 (January 22, 2019), the Dakota County Board of Commissioners approved a joint powers agreement for cost share with the City of Burnsville to complete final design and acquisition; and

WHEREAS, the City of Burnsville has secured a contract with WSB & Associates, for final design and acquisition services; and

WHEREAS, the cost to prepare final design for the Lake Marion Regional Greenway-Sunset Park to Murphy Hanrehan Regional Park has increased by $90,745 due to unanticipated project changes; and

WHEREAS, the City of Burnsville and Dakota County will share equally in additional final design costs; and

WHEREAS, the estimated cost of acquisition is now based on current appraisals at $500,000; and

WHEREAS, Dakota County is responsible for full cost of acquisition related to the regional greenway corridor; and

WHEREAS, Dakota County anticipates applying for Metropolitan Council Acquisition Opportunity Funds to cover 75 percent of the acquisition costs.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to amend the joint powers agreement with the City of Burnsville for the Lake Marion Regional Greenway – Sunset Park to Murphy Hanrehan Regional Park segment final design and acquisition with the County’s share of the costs for design not to exceed $230,372, including 10 percent contingency, and that the County assumes 100 percent of land acquisition costs based upon appraised values.

5.5  Planning Commission Update

This item was on the agenda for informational purposes only.

5.6  Approval Of 2020 Planning Commission Work Plan

WHEREAS, Dakota County Ordinance No. 118 establishes the powers and duties of the Planning Commission to make recommendations on plans, policies, and programs, as directed by the County Board; and

WHEREAS, County Policy No. 1015 provides direction regarding its citizen advisory committees and states that the Planning Commission is required to consult annually with the County Board to seek concurrence regarding the topics they will study or on which they will advise the County Board; and

WHEREAS, the County Board identified its priorities for 2020, including the preparation of plans for natural resources, parks, greenways, and transportation; and

WHEREAS, the 2020 Planning Commission Work Plan is consistent with the County Board priorities for 2020; and

WHEREAS, the Physical Development Committee of the Whole reviewed the 2020 Planning Commission Work Plan at the meeting on December 3, 2019.
NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the 2020 Planning Commission Work Plan as presented to the Physical Development Committee of the Whole on December 3, 2019.

5.7 Award Of Bid And Authorization To Execute Contract With Pember Companies, Inc., For Whitetail Woods Regional Park Master Plan Improvements Bid Package 1: Cabins And Commons Project

WHEREAS, by Resolution No. 12-107 (February 14, 2012), the County Board approved the updated Whitetail Woods Regional Park Master Plan including the project’s five tier-one priorities; and

WHEREAS, the Whitetail Woods Regional Park Master Plan Improvements Project (Project) was approved in the 2019–2023 Parks Capital Improvement Program (CIP) Adopted Budget; and

WHEREAS, by Resolution No. 19-441 (March 26, 2019), the County Board approved the Project schematic design; and

WHEREAS, the Project was previously bid unsuccessfully with one bid received on July 25, 2019; and

WHEREAS, the bid received was 31 percent above the approved budget for the Project and was rejected by Resolution No. 19-663 (August 6, 2019) due to being over the approved budget for the project; and

WHEREAS, the rejected bid was used as a baseline for the current market construction costs, and a strategy was devised to better position the Project for a successful bid; and

WHEREAS, the strategy included value engineering of all project components and splitting the Project into two bid packages to more closely match the specific trades involved; and

WHEREAS, the Project Bid Packages are broken into components as follows: 1.) Cabins and Commons and 2.) Trails and Boardwalks; and

WHEREAS, to provide flexibility with the award and keep within the approved budget, the project includes multiple project bid alternates; and

WHEREAS, the project Bid documents were prepared by staff and Aune Fernandez Landscape Architects and was competitively advertised for four weeks, and four bids were received on November 21, 2019; and

WHEREAS, funds allow for the purchase of the Base Bid plus Alternate 1 with the Sledding Hill Amenities Package was outside the budget; and

WHEREAS, the Sledding Hill Amenities Package will not be part of the current project and could be executed as a future phase of park improvement; and

WHEREAS, the lowest responsible bid received for the Whitetail Woods Regional Park Masterplan Improvements Bid Package #1: Cabins and Commons Project including Alternate 1 was $1,697,500; and

WHEREAS, staff and the project architect have reviewed the low bidder’s qualifications; and

WHEREAS, the Project will be substantially complete by November 2020; and

WHEREAS, staff recommends that the County Board of Commissioners authorize the Parks, Facilities, and Fleet Management Director to execute a contract with Pember Companies Inc., for the Whitetail Woods Regional Park Master Plan Improvements Bid Package 1: Cabins and Commons project, including alternates 1 and 2, in an
NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners authorizes the Parks, Facilities, and Fleet Director to execute a contract with Pember Companies Inc., N4449 469th Street, Menomonie, WI 54751 for the Whitetail Woods Regional Park Master Plan Improvements Bid Package 1: Cabins and Commons project, including alternates 1 and 2, in an amount not to exceed $1,697,500, subject to approval by the County Attorney’s Office as to form.

Ayes: 6          Nays: 1 (Commissioner Mary Liz Holberg)

5.8 Award Of Bid And Authorization To Execute Contract With Peterson Companies, Inc., For Whitetail Woods Regional Park Master Plan Improvements Bid Package 2: Trails And Boardwalks Project

WHEREAS, by Resolution No. 12-107 (February 14, 2012), the County Board approved the update Whitetail Woods Regional Park Master Plan, including the project’s five tier-one priorities; and

WHEREAS, the Whitetail Woods Regional Park Master Plan Improvements Project (Project) was approved in the 2019–2023 Parks Capital Improvement Program (CIP) Adopted Budget; and

WHEREAS, by Resolution No. 19-411 (March 26, 2019), the County Board approved the Project schematic design; and WHEREAS, the Project was previously bid unsuccessfully with one bid received on July 25, 2019; and

WHEREAS, the bid received was 31 percent above the approved budget for the Project and was rejected by Resolution No. 19-663 (August 6, 2019) due to being over the approved budget for the project; and

WHEREAS, the rejected bid was used as a baseline for the current market construction costs, and a strategy was devised to better position the Project for a successful bid; and

WHEREAS, the strategy included value engineering of all project components and splitting the Project into two bid packages to more closely match the specific trades involved; and

WHEREAS, the Project Bid Packages are broken into components as follows: 1.) Cabins and Commons and 2.) Trails and Boardwalks; and

WHEREAS, to provide flexibility with the award and keep within the approved budget, the project includes multiple project bid alternates; and

WHEREAS, the project Bid documents were prepared by staff and Aune Fernandez Landscape Architects and was competitively advertised for four weeks, and 11 bids were received on November 21, 2019; and

WHEREAS, the lowest responsive and responsible bid received for the Whitetail Woods Regional Park Masterplan Improvements Bid Package #2: Trails and Boardwalks Project including Alternates 1 and 2 was $1,615,500; and

WHEREAS, staff and the project architect have reviewed the low bidder’s qualifications; and

WHEREAS, the Project will be substantially complete by November 2020; and

WHEREAS, staff recommends that the County Board of Commissioners authorize the Parks, Facilities, and Fleet Management Director to execute a contract with Peterson Companies Inc., for the Whitetail Woods Regional Park Master Plan Improvements Bid Package 2: Trails and Boardwalks Project, including Alternates 1 and 2, in an...
amount not to exceed $1,615,500.

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 Peterson Companies, Inc., 8326 Wyoming Trail, Chisago, MN 55103 for the Whitetail Woods Regional Park Master Plan Improvements Bid Package 2: Trails and Boardwalks Project, including Alternates 1 and 2, in an amount not to exceed $1,615,500, subject to approval by the County Attorney’s Office as to form.

5.9 Update On County Project 32-87, Cliff Road Study: Lexington Avenue To Trunk Highway 3

This item was on the agenda for informational purposes only.

Regular Agenda

6.1 Authorization To Adopt County State Aid Highway 9/179Th Corridor Study And Preliminary Design Project In City Of Lakeville

Matthew Parent, Senior Project Manager, presented this item and responded to questions. Mark Kresbach, Transportation Director, was in the audience and also spoke to this item.

On a motion by Commissioner Mary Liz Holberg, seconded by Commissioner Mike Slavik, the following resolution was unanimously recommended to the County Board:

WHEREAS, to provide a safe and efficient transportation system, Dakota County is partnering with the City of Lakeville (City) on County Project (CP) 9-56; and

WHEREAS, CP 9-56 is preliminary engineering, public participation, and traffic analysis of County State Aid Highway (CSAH) 9 (Dodd Boulevard) and 179th Street in the City of Lakeville; and WHEREAS, CP 9-56 will identify required improvements on each roadway to serve as a basis for a future jurisdictional transfer agreement between the City and County; and

WHEREAS, the approved 2019–2023 Transportation Capital Improvement Program Adopted budget includes sufficient funding for CP 9-56; and

WHEREAS, the CSAH 9/179th Street Corridor Study (Study) incorporated numerous opportunities and proactive efforts for public and stakeholder involvement throughout the course of the Study, including open house meetings, online and social media outreach; and

WHEREAS, the Study produced a set of corridor improvements for consideration towards future implementation.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby adopts the County State Aid Highway 9/179th Street Corridor Study.

6.2 Update On Spring Lake Park Reserve Master Plan And Natural Resources Management Plan

Lil Leatham, Planner II, presented this item and responded to questions. This item was on the agenda for informational purposes only.

6.3 Update On Dakota County Technical College Transit Service Pilot And Discussion Of Options

Gina Mitteco, Regional and Multi-Modal Transportation Manager, presented this item and responded to questions. The following individuals were in the audience and also spoke to this item:
Draven Dugal, DCTC Student Ambassador
Luther Wynder, Minnesota Valley Transit Authority Executive Director

On a motion by Commissioner Liz Workman, seconded by Commissioner Mike Slavik, the following resolution was recommended to the County Board:

WHEREAS, by Resolution No. 18-272 (May 22, 2018), Dakota County entered into a joint powers agreement (JPA) with the Minnesota Valley Transit Authority (MVTA) to create and operate a two-year transit service pilot to Dakota County Technical College (DCTC) that includes the Apple Valley Transit Station and Rosemount Transit Station along existing MVTA Route 420; and

WHEREAS, Dakota County funds an annual amount of up to $165,000 for a portion of the costs incurred by the MVTA to establish and operate the transit route; and

WHEREAS, the transit service began operation on August 20, 2018; and

WHEREAS, the Dakota County Board of Commissioners expressed concerns about lower than expected ridership levels; and

WHEREAS, this transit service is important for students that currently use the service and rely on transit to access educational opportunities; and

WHEREAS, continuing the transit pilot through May 23, 2020 will allow students to use the transit service through the end of the school-year; and

WHEREAS, transit ridership to DCTC will likely be low during the summer months; and

WHEREAS, termination of the JPA on May 23, 2020 would reduce the County funded cost of the service provided through the JPA by $41,250; and

WHEREAS, either party may terminate the JPA without cause at any time after MVTA has operated the transit service for one year; and

WHEREAS, the JPA requires that a party must provide at least ninety (90) day's written notice of its intent to terminate the JPA with no cause; and

WHEREAS, termination of the JPA after the conclusion of the 2020 spring semester at DCTC, in May 2019, is an appropriate amount of time for MVTA to determine whether transit service to DCTC is viable.

NOW, THEREFORE, BE IT RESOLVED that the County Manager or his designee shall provide written notice of its intent to terminate the joint powers agreement with no cause to the Minnesota Valley Transit Authority on May 23, 2020.

BE IT FURTHER RESOLVED, That this action does not preclude Dakota County from discussing future partnership opportunities for providing transit service to Dakota County Technical College.

Ayes: 5         Nays: 2 (Commissioner Mary Liz Holberg and Commissioner Kathleen A. Gaylord)

6.4 Update On December Changes For 2020 County Manager’s Recommended Physical Development Budget

Paul Sikorski, Budget Manager, presented this item and responded to questions. This item was on the agenda for informational purposes only.
6.5 Update And Discussion On Landfill Host Fee Environmental Legacy Fund Grant Pilot Program

Erin Stwora, Deputy Director, presented this item and responded to questions. This item was on the agenda for informational purposes only. Staff will prepare a proposed program outline and discussion points for the January Physical Development Committee of the Whole meeting. No direction was provided on the Inver Grove Heights 2019 Grant submission.

Division Director Update

Steve Mielke, Physical Development Director, provided the Committee with a Division update.

Adjournment

On a motion by Commissioner Joe Atkins, seconded by Commissioner Chris Gerlach, the meeting was adjourned at 11:58 a.m.

Respectfully submitted,
Liz Hansen
Administrative Coordinator
Physical Development Division