



## Legislation Text

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**File #:** RES 22-20, **Version:** 1

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Approving Ordinance Permit 20200010404 for Stormsewer Conveyance Infrastructure installed by Project Paul, LLC (a wholly-owned subsidiary of Ryan Companies US, Inc.) ("Ryan") on the Ford (Highland Bridge) Site.

WHEREAS, the Saint Paul City Council has adopted the Ford Site Zoning and Public Realm Master Plan and all Amendments to the Plan; and

WHEREAS, in June 2018, Ford Land announced Ryan Companies ("Ryan") as the Master Developer for the Ford site; and

WHEREAS, the Site Improvement Performance Agreement (SIPA) provides for Site Plan Review protocols as well as protocols related to Site Improvements of the Property that are to be completed by Ryan and protocols related to City Acceptance of improvements completed by Ryan; and

WHEREAS, in April of 2020 Ryan submitted appropriate Plans, Specifications, Reports, and Documents to the City for review under Site Plan number 20-028740; and

WHEREAS, the appropriate City Departments and City Subject Matter Experts reviewed said Plans, Specifications, Reports, and Documents and found same to be in compliance with all applicable Codes, Standards, and Policies such that approval was granted by the Department of Safety and Inspections for site plan 20-028740 on June 30, 2020; and

WHEREAS, Article 6 of the SIPA provide for the installation of certain public infrastructure through a permit called the Ordinance Permit; and

WHEREAS, on July 8, 2021 the appropriate Ordinance Permit was issued by the City to Ryan for the purpose of completing certain stormsewer conveyance system improvements for the Property; and

WHEREAS, acceptance of infrastructure completed under Ordinance Permit 20200010402 herein excludes that portion of infrastructure accepted through Council Resolution RES 21-10 on January 20, 2021 with exhibit attached for reference; and

WHEREAS, with the exception of possible warranty rework resulting from a future inspection(s) prior to the expiration of the warranty period, Ryan has completed the installation of certain public improvements according to the requirements stated in the SIPA and Redevelopment Agreement (RDA); and

WHEREAS, warranties are assigned per Section 12.7 of the SIPA; and

WHEREAS, Ryan has satisfied all applicable requirements of the Ordinance Permit Acceptance process as required by the SIPA and RDA for the installation of certain public improvements; now, therefore, be it

RESOLVED, that the City Council accepts the infrastructure as so defined in the attached Exhibit A subject to the following conditions:

1. Maintenance of the system components described herein shall transfer to the City per the

SIPA with the understanding that:

- Current stormwater treatment systems (“BMP’s”) are being bypassed.
  - Right-of-Way catchment areas and Stormwater BMPs are permitted, constructed and accepted via separate Ordinance Permits. Maintenance obligations will be per the SIPA.
2. Should non-sewer debris be found in the system, Ryan or the appropriate secondary developer will be held responsible for cleaning the applicable parts of the system at no cost to the City.
  3. In keeping with the RDA and the SIPA, identification of where public utilities are located within the site will be coordinated between the Ryan and the City team for any areas where roadways have not been accepted by the City. This coordination will continue until the roadways have been accepted by the City at which point the Gopher State One-Call system will be accessed for site utility locates. Coordination by the Ryan/City team will include providing asbuilt information to secondary developers, onsite meets that include all applicable stakeholders, and onsite marking as needed.

AND BE IT FINALLY RESOLVED, that pursuant to the RDA and SIPA the warranty period shall begin upon City acceptance.