



## Legislation Text

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**File #:** RES 22-1166, **Version:** 1

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Approving Ordinance Permit 20200010501 for Stormsewer Treatment System 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 May 11, 2021; 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 September 20, 2020 the appropriate Ordinance Permit was issued by the City to Ryan for the purpose of completing certain roadway base infrastructure improvements for the Property; 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, required revisions to both the Stormwater Management Plan and the project as-builts, as defined in the Contract Documents, are to be completed or have been completed by the Engineer of Record; and

WHEREAS, the Capitol Region Watershed District (CRWD) has provided the City a conditional statement of concurrence (Exhibit B) for construction of the stormwater treatment devices per the Ordinance Permit; and

WHEREAS, the CRWD conditionality is based on the need for the CRWD to review and approve the final as-built plan sheets as provided for in the Record Plan Review Report for permit 20-013 dated January 18, 2022; and

WHEREAS, the testing of the functional component of the Stormwater System treatment system will take place at some later date in 2022 but no later than the date stated in the Redevelopment Agreement for the Base Infrastructure as Defined in the SIPA; and

WHEREAS, warranties are assigned per Section 12.7 and Section 17.1 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 such that a recommendation is made to Council that the public infrastructure identified in Ordinance Permit 20200010501 be accepted with the following agreed upon conditions:

CONDITIONS #1 - 4

1. The review and approval by the City and the CRWD of the revised Ford Site Redevelopment Stormwater System Stormwater Management Plan and the review and approval by the City and the CRWD of the revised as-built plans. Revised as-built plan submittal to include a certification letter signed by the Engineer of Record or Professional Land Surveyor certifying that all elevations, including emergency overflow elevations, are correct as shown.
2. The review and approval of the functional testing of the Ford Site Redevelopment Stormwater Treatment System shall be per requirements of the City and the CRWD. The testing shall be completed as directed by the Engineer of Record once plantings within the basins and ponds are established per the SIPA Contract Documents.
3. The review and approval by the City and CRWD of the plantings installed per the approved Project Plans and Specifications and any applicable contract documents and or permits, on the side slopes and bottoms of Iron Enhanced Sand Filter (IESF) Basins One through Five as well as the side slopes of Pond One.
4. The Developer will correct any components of the Ford Site Redevelopment Stormwater System treatment devices that are currently in bypass mode that are found to be defective or not in accordance with the Final Construction Documents per terms of section 17.2 of the SIPA. The one-year warranty period for any components in bypass mode that undergo correction shall be extended an additional year per SIPA Section 17.2(a).

NOW, THEREFORE, BE IT RESOLVED, that the City Council accepts the infrastructure as so defined in the attached Exhibit A and with the afore stated agreed upon conditions and pursuant to the RDA and SIPA for commencement of the warranty period following Council acceptance.