

## SUBJECT

### **BOARD RESOLUTION NO. 22-892**

Pertaining to a private water main agreement with six private property owners for the Mendota Plaza development east of Dodd Road, north of South Plaza Drive, and south of Highway 110 in the city of Mendota Heights.

## **STRATEGIC PLAN GOALS:** Infrastructure Strategy & Performance

Mendota Plaza is a commercial retail development supplied with water for domestic use and fire protection from an existing private water main installed on the property in 2009 and 2017. The property is owned by six entities; Mendota Mall Associates – WAG, LLC, Mendota Mall Associates, LLC, Mendota Mall Associates – Outlots, LLC, Mendota Plaza Apartments, LLC, Spaulding-Cashill LLP, and L&M Holdings, LLC. At this time, the owners desire to expand the development, which will require a revision of the easement area dedicated in the private water main agreement dated May 9, 2017. This agreement rescinds the May 2017 agreement and rededicates a new easement area reduced in size which will allow the construction of new housing units.

Staff has prepared the attached agreement, which in addition to containing all standard private water main agreement requirements, also requires that each of the six owners agree to enter into a separate agreement by which each shall agree to pay all or a proportionate share of any and all costs associated with the private water main, subject to approval by the Board.

See attached location map and Private Water Main Agreement.

## **RECOMMENDATION**

Board approval is recommended.