Legislation Text

File #: RES 21-12, **Version:** 1

Approving Ordinance Permit **20200010602** for Sanitary Sewer Collection Infrastructure Installed by 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 7, 2020*** the appropriate Ordinance Permit was issued by the City to Ryan for the purpose of completing certain sanitary collection system improvements for the Property; and

WHEREAS, with the exception of possible warranty rework that may be required at a later date, Ryan has completed the installation of certain public improvements according to the requirements stated in the SIPA and RDA; and

WHEREAS, Section 9.6(b) and Exhibit F of the SIPA (“Sanitary Sewer System - Temporary Inspection and Maintenance”) address initial and long-term aspects of maintenance protocols; 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. Acceptance of the infrastructure herein does not assign maintenance protocols to the City. Per the SIPA, Ryan must continue maintenance obligations until such time as the City determines that sanitary flow rates created by the development at the Property have reached the rate as stated in the SIPA.

2. The exhibit “Sanitary Sewer System - Temporary Maintenance Narrative”, attached by reference, will be the means by which Ryan will comply with the maintenance obligations as stated in the SIPA.

3. As part of acceptance of roadway infrastructure at some future date, an inspection of all sewer structures shall be completed by a joint inspection team consisting of representatives of Ryan and representatives of the City. Any visible deficiencies found during said joint inspection will need to be addressed by Ryan to the satisfaction of, and at no cost to, the City. The City will be the final arbiter as to whether or not the deficiency needs to be corrected. The EOR will also be included in this walk. Any required corrections will be according to applicable Standards, Codes, and Policies.

4. 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.

5. 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 FURTHER RESOLVED, that pursuant to the RDA and SIPA the warranty period shall begin upon City acceptance.