

**AGREEMENT FOR JURISDICTIONAL TRANSFER OF A PORTION OF
COUNTY ROAD 6 IN WEST SAINT PAUL**

THIS AGREEMENT, made and entered into by and between the County of Dakota, hereinafter referred to as the "County" and the City of West St. Paul, hereinafter referred to as the "City".

WITNESSES THE FOLLOWING:

WHEREAS, Minn. Stat. Section 163.11, Subd. 5 and 9 authorizes a County Board to revoke County Road status by resolution of the County Board of Commissioners; and

WHEREAS, the County Board intends to pass a resolution agreeing to the terms for the revocation and jurisdictional transfer on that portion of County Road (CR) 6 between Trunk Highway (TH) 3 and TH 52.

NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS:

1. The County will receive federal Highway Safety Improvement Program funds to construct a roundabout tentatively scheduled in 2023 at the intersection of CR 6 (Thompson Avenue) and County State Aid Highway (CSAH) 73 (Oakdale Avenue). The County agrees to administer the roundabout project and fund 100% of the design, right of way acquisition and construction costs, after the application of federal funds.
2. The County will complete a pavement preservation project to mill and overlay CR 6 between TH 3 and TH 52 and stripe as a 3-lane section or as directed by the City, tentatively scheduled in 2023.
3. The City will administer the construction of a trail along one side of CR 6 and a sidewalk on the other side, between TH 3 and TH 52 tentatively scheduled in 2023. The County agrees to reimburse the City actual costs for the design, right of way services and acquisition and construction costs required for the construction of a trail and sidewalk along the CR 6 segment, estimated to cost \$940,000.00. The City agrees to allow the County to review and approve expenditures for consultant services, right of way acquisitions and construction contracts.
4. After the completion of the City's trail and sidewalk project, the County's roundabout and pavement preservation project, the County agrees to revoke CR 6 and the City agrees to accept the jurisdictional transfer and ownership of CR 6 between TH 3 and TH 52.
5. At the time of revocation and transfer of jurisdiction of this road segment, the County agrees to pay to the City and the City agrees to accept from the County a one-time payment of the sum of \$1,855,178.58. The payment represents an

estimate of total costs of repairs and improvements required for CR 6 to meet County highway standards. Payment of said amount will be tendered to the City upon receipt of an invoice and final execution of the revocation agreement by the appropriate officials for both parties.

6. Upon jurisdictional transfer of this road segment to the City, the City will accept jurisdiction and ownership over the roadway and be responsible for all future maintenance, operations, construction and other roadway authority responsibilities.
7. No person engaged in work to be performed by the City shall be considered an employee of the County. Any claims that arise under the Worker's Compensation Act of this State on behalf of any City employee, while so engaged on any of the work called for in this Agreement shall not be the obligation or responsibility of the County.
8. Pursuant to Minnesota Statutes §16C.05 subd. 5, any books, records, documents and accounting procedures and practices of the City and the County relevant to this Agreement are subject to examination by the County and either the Legislative Auditor or the State Auditor as appropriate. The City and County agree to maintain these records for a period of six years from the date of performance of all services covered in this agreement.
9. This agreement shall supersede all prior negotiations, representations or agreements between the City and the County regarding jurisdiction and control over the segment of CR 6 covered by this agreement, whether written or oral.

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IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their duly authorized officials.

CITY OF WEST ST. PAUL

AGREED TO AND APPROVED BY THE CITY COUNCIL OF THE CITY OF WEST ST. PAUL

THIS _____ DAY OF _____, 2021

By _____
Mayor

By _____
City Manager

APPROVED AS TO FORM:

(SEAL)

By _____
City Attorney

DAKOTA COUNTY

RECOMMENDED FOR APPROVAL:

By _____
County Engineer

By _____
Chairman of the Board

By _____
Clerk to County Board

(SEAL)

APPROVED AS TO FORM:

_____ File Number: KS-2020-00140- _____ Date
Assistant County Attorney

COUNTY BOARD RESOLUTION

No. 20-_____ Date: _____