

April 21, 2020

STATE OF MINNESOTA)
COUNTY OF DAKOTA)
OFFICE OF COUNTY BOARD)

Call To Order And Roll Call

Commissioner Mike Slavik
Commissioner Kathleen A. Gaylord
Commissioner Thomas A. Egan
Commissioner Joe Atkins
Commissioner Liz Workman
Commissioner Mary Liz Holberg
Commissioner Chris Gerlach

Also in attendance were: Matt Smith, County Manager; James Backstrom, County Attorney; Tom Donely, First Assistant County Attorney; and Jeni Reynolds, Sr. Administrative Coordinator to the Board.

Due to the local state of emergency and social distancing, Commissioners participated in this meeting via telephone and the Board meeting was conducted under Minn. Stat. § 13D.021.

Video and audio of this County Board meeting are available on the Dakota County website.

Pledge Of Allegiance

The meeting was called to order at 9:00 a.m. by Chair Mike Slavik who welcomed everyone and opened the meeting with the Pledge of Allegiance.

Audience

Chair Slavik noted that all public comments can be sent to CountyAdmin@co.dakota.mm.us
No public comment was received for this meeting agenda.

20-189

Approval Of Agenda (Additions/Corrections/Deletions)

Motion: Kathleen A. Gaylord

Second: Thomas A. Egan

On a motion by Commissioner Kathleen A. Gaylord, seconded by Commissioner Thomas A. Egan, the agenda was unanimously approved.

Public Hearing

Public Hearing To Receive Comments On Dakota County 2020-2024 Five Year Consolidated Plan And Fiscal Year 2020 Action Plan For Community Development Block Grant, HOME Investment Partnerships, And Emergency Solutions Grant Programs

The time being 9:14 a.m., and pursuant to public notice, a public hearing was conducted for the purpose of receiving comments on the 2020-2024 Five Year Consolidated Plan and the Fiscal Year 2020 One Year Action Plan, including proposed Community Development Block Grant Program activities with a budget of \$1,928,343, HOME Investment Partnerships Program activities with a budget of \$993,665 (Consortium total of \$2,956,300) including program income, and Emergency Solutions Grant Program activities with a budget of \$165,857. Assistant Director of the Community Development Agency Maggie Dykes briefed this item and responded to questions. No one submitted comments to the Board and no one asked to speak at the meeting.

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20-190
Closing of Public Hearing

Motion: Chris Gerlach

Second: Joe Atkins

BE IT RESOLVED, That the public hearing is closed.

Ayes: 7

Nays: 0

20-191
Public Hearing To Receive Comments On Dakota County 2020-2024 Five Year Consolidated Plan And Fiscal Year 2020 Action Plan For Community Development Block Grant, HOME Investment Partnerships, And Emergency Solutions Grant Programs

Motion: Thomas A. Egan

Second: Chris Gerlach

WHEREAS, Dakota County is an Entitlement County for funds through the Community Development Block Grant (CDBG) Program and Emergency Solutions Grant (ESG) Program, and a Participating Jurisdiction for the HOME Investment Partnerships (HOME) Program; and

WHEREAS, Dakota County's Participating Jurisdiction status under the HOME Program pertains to a multi-jurisdiction consortium created in 1992 that include Anoka, Washington, and suburban Ramsey Counties, and the City of Woodbury (HOME Consortium); and

WHEREAS, Dakota County is designated as the "Lead Agency" for the HOME Consortium, responsible for certain administrative and reporting functions of the HOME Program; and

WHEREAS, the Dakota County Community Development Agency (CDA) administers the CDBG, ESG and HOME programs on behalf of Dakota County, thereby requiring agreements between the U.S. Department of Housing and Urban Development (HUD) and Dakota County for the CDBG, ESG, and HOME funds and between Dakota County and the Dakota County CDA for CDBG, ESG and HOME program administration; and

WHEREAS, HUD requires the development and submission of the 2020-2024 Five Year Consolidated Plan that outlines the strategies and objectives of Dakota County's use of the federal funds for the time period of July 1, 2020 to June 30, 2025; and

WHEREAS, HUD further requires the development and submission of the Fiscal Year (FY) 2020 One Year Action Plan that proposes allocation of the annual CDBG, HOME, and ESG funds to local governments and housing providers in the County for the time period of July 1, 2020 to June 30, 2021; and

WHEREAS, CDA staff has worked with participating communities to identify CDBG, HOME, and ESG activities for FY 2020; and

WHEREAS, the proposed activities for HUD funds meet the housing and community development priorities identified in the draft 2020-2024 Five-Year Consolidated Plan; and

WHEREAS, the Dakota County FY 2020 CDBG allocation is \$1,928,343; the Dakota County FY 2020 HOME allocation is \$993,665 (Consortium total of \$2,956,300) including program income; and the Dakota County FY 2020 ESG allocation is \$165,857; and

WHEREAS, CDA staff recommends funding 27 CDBG eligible activities for the 12 cities with populations more than 10,000 with direct allocation funding; three CDBG eligible activities with competitive pool funds for cities and townships with populations less than 10,000, and five Countywide activities with FY 2020 CDBG funds; and

WHEREAS, CDA staff recommends funding four HOME eligible activities as follows: a future CDA affordable housing development at a site in the City of Eagan (58%), future affordable housing activities to be determined (13%), Community Housing Development Organization activities (15%), and grant administration (14%) with FY 2020 HOME funds; and

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WHEREAS, CDA staff recommends allocating funding four ESG eligible activities as follows: rapid re-housing activities (76%), emergency shelter operations (16%), Homeless Management Information Systems (0.5%) and grant administration (7.5%) with FY 2020 ESG funds; and

WHEREAS, HUD requires a public hearing to receive comments and inform the public on the Dakota County 2020-2024 Five Year Consolidated Plan and the FY 2020 One Year Action Plan that outlines the strategies and objectives for the proposed allocation of FY 2020 CDBG, ESG and HOME funds; and

WHEREAS, the Notice of Public Hearing was published in the *Star Tribune* (April 10, 2020), and posted on the websites of the participating cities, the Dakota County CDA website at www.dakotacda.org, and the Dakota County website at www.co.dakota.mn.us.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners conducted a public hearing on April 21, 2020, at 9:00 a.m. via telephone or other electronic means to receive comments on the 2020-2024 Five Year Consolidated Plan and the Fiscal Year 2020 One Year Action Plan, including proposed Community Development Block Grant Program activities with a budget of \$1,928,343, HOME Investment Partnerships Program activities with a budget of \$993,665 (Consortium total of \$2,956,300) including program income, and Emergency Solutions Grant Program activities with a budget of \$165,857

Ayes: 7

Nays: 0

CONSENT AGENDA

Motion: Liz Workman

Second: Joe Atkins

On a motion by Commissioner Liz Workman, seconded by Commissioner Joe Atkins, the consent agenda was unanimously approved as follows:

20-192

Approval Of Minutes Of Meeting Held On April 7, 2020

Items Recommended By Board Committee

20-193

Authorization Of Local Youth Plan Submission For Workforce Innovation And Opportunity Act Youth Program 2020 And Authorization To Accept Funds, Execute Grant Agreement And Execute Related Contract

WHEREAS, the federal Workforce Innovation and Opportunity Act (WIOA) requires local service areas to provide services to low-income, at-risk youth in order to promote educational and employment success; and

WHEREAS, the Minnesota Department of Employment and Economic Development (DEED) fulfills this requirement through grants to local Workforce Development Boards for WIOA Youth Program; and

WHEREAS, by Resolution No. 19-432 (March 26, 2019), the Dakota County Board of Commissioners authorized execution of a contract with HIRED to provide WIOA Youth Program services; and

WHEREAS, Dakota-Scott Workforce Services received official notification from DEED on Program Year (PY) 2019 funding on April 18, 2019, with \$306,105 in WIOA Youth Program funding allocated to Dakota and Scott Counties, of which Dakota County's funding was \$244,884 and Scott County's funding was \$61,221; and

WHEREAS, due to COVID-19 and the cancellation of the March Dakota-Scott WDB Meeting, Dakota-Scott Workforce Services will submit its Local Youth Plan after the April 10, 2020, due date; and

WHEREAS, official notification of PY 2020 allocations for the period of April 1, 2020 through March 31, 2021, has not yet been received; however, the anticipated funding level for WIOA Youth Program services is not expected to

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exceed \$400,000; and

WHEREAS, staff recommends authorization to submit the Local Youth Plan to DEED for the WIOA Youth Program 2020 Plan funds, and, if approved, accept WIOA Youth Program funds, execute the grant agreement with DEED, and execute the related contract with HIRED to provide WIOA Youth Program services in the amount of the grant awarded, less ten percent for administrative expenses, and less the amount allocated to Scott County, for the period of April 1, 2020 through March 31, 2021.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the submission of the Local Youth Plan to the Minnesota Department of Employment and Economic Development for the Workforce Innovation and Opportunity Act Youth Program 2020 Plan funds; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to accept the Workforce Innovation and Opportunity Act Youth Program funds if the Local Youth Plan is approved by the Minnesota Department of Employment and Economic Development, and execute the Workforce Innovation and Opportunity Act Youth Program grant agreement with the Minnesota Department of Employment and Economic Development in the amount of the grant awarded, subject to the approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the Community Services Director is hereby authorized to execute a contract with HIRED to provide Workforce Innovation and Opportunity Act Youth Services in an amount not to exceed the grant award, less ten percent for administrative expenses, and the amount allocated to Scott County, for the period of April 1, 2020 through March 31, 2021, subject to approval by the County Attorney's office as to form; and

BE IT FURTHER RESOLVED, That unless the grant program requirements change, the Community Services Division Director is hereby authorized to amend the grant to alter the grant term, accept additional grant funds and continue grant funded FTE's (if relevant), consistent with County contracting policies, and inclusion of grant funds in future yearly recommended and adopted budgets, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the Community Services Director is hereby authorized to amend said contract consistent with the approved Workforce Innovation and Opportunity Act Youth Program 2020 Plan, to accept additional funding, alter the number and types of clients served, types of services provided, reporting requirements, contract amount and contract term, consistent with County contracting policies, subject to the approval of the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the contract shall contain a provision that allows the County to immediately terminate the contract in the event sufficient funds from county, state, or federal sources are not appropriated at a level sufficient to allow payment of the amounts due.

20-194

Authorization To Adopt Modified County Policy For Emergency Assistance And Emergency General Assistance Programs

WHEREAS, Emergency Assistance is a short-term program for families; and

WHEREAS, Emergency Assistance is funded by the Minnesota Family Investment Program (MFIP) Consolidated Fund, with State and Federal funds; and

WHEREAS, Emergency Assistance can only be issued for a family once in a 12-month period; no one in the household may have received Emergency Assistance within the last 12-month period; and

WHEREAS, Emergency General Assistance is a short-term program used primarily for single individuals or couples without children; and

WHEREAS, Emergency General Assistance is funded through State funds; and

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WHEREAS, Emergency General Assistance can only be issued once in a 12-month period; and

WHEREAS, households served by Emergency Assistance and Emergency General Assistance are facing a potential loss of basic needs, such as, utilities or shelter, and have no ability to solve the emergent situation with current household resources; and

WHEREAS, emergency funds from these programs are only available to households whose net income is below 200 percent of the previous calendar year's federal poverty guidelines; and

WHEREAS, issuance of assistance must resolve the financial need and potential loss of basic needs; and

WHEREAS, staff recommends the following modifications to the County policy for Emergency Assistance and Emergency General Assistance programs:

- Eligibility criteria for Emergency Assistance: There must be one adult in the household who has not received Emergency Assistance within the last 12 months.
- Association fees: Allow payment of associations fees if non-payment threatens housing.
- Home repairs: Incorporate language requiring an applicant to sign a waiver form as part of eligibility.
- Moving expenses: Moving expenses can be allowed for households where one adult member is 65 or older or certified disabled by Social Security and there are no other State or Federal programs able to assist, and once applicant signs waiver form.
- Foreclosures: Remove the language: A threat of foreclosure only on a mobile home that is in good condition.
- Update to include Program Operations Manager: Exceptions to the policy rules are only allowed with approval from the Employment and Economic Assistance Deputy Director or Program Operations Manager.
- Continue to use consistent policy and criteria for Emergency Assistance and Emergency General Assistance eligibility, with a few noted exceptions.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes adoption of the modified County policy for Emergency Assistance and Emergency General Assistance.

20-195

Authorization To Execute Contract With Center City Housing Corp. For Cahill Place Services

WHEREAS, Cahill Place Apartments is a new apartment building in Inver Grove Heights currently under construction; and

WHEREAS, the building will have forty (two and three bedroom) units and will be dedicated to families who have experienced homelessness and housing instability; and

WHEREAS, this project is a collaboration between Center City Housing Corp. (developer), the Dakota County Community Development Agency (CDA) (capital funding and project-based housing vouchers) and Dakota County (support service funding), among other partners and funders; and

WHEREAS, in February 2019, Dakota County Social Services issued a Request for Proposals for the onsite support services at Cahill Place and two proposals were received; and

WHEREAS, a selection committee comprised of staff from the CDA and Social Services selected Center City Housing Corp. as the service provider; and

WHEREAS, Center City Housing Corp. will provide front desk staff 365 days per year, 24-hours per day; on-site case management services and whole-family programming; engage in outreach to community agencies to develop strong working relationships, specifically schools, law enforcement and other local community agencies; and will fill units through Coordinated Entry and Dakota County.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to execute a contract with Center City Housing Corp. for permanent supportive

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housing services at Cahill Place in an amount not to exceed \$650,000 annually from June 1, 2020 to December 31, 2022, with first-year funding being prorated from the start date (approximately \$325,000), subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the Community Services Director is hereby authorized to amend said contract, alter the number and types of clients served, types of services provided, reporting requirements, contract amount and contract term, consistent with County contracting policies, subject to the approval of the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the contract shall contain the provision that allows the County to immediately terminate the contract in the event sufficient funds from county, state, or federal sources are not appropriated at a level sufficient to allow payment of the amounts due.

20-196

Authorization To Amend Joint Powers Agreement With City Of Mendota Heights For River To River Greenway - Marie Avenue Underpass And At-Grade Crossing

WHEREAS, by Resolution No. 15-431 (August 25, 2015), the County Board adopted the River to River Regional Greenway Master Plan; and

WHEREAS, by Resolution No. 19-073 (February 26, 2019), the County Board authorized a joint powers agreement with the City of Mendota Heights for River to River Greenway – Marie Avenue Underpass Replacement; and

WHEREAS, the City of Mendota Heights completed design and cost estimates for the Marie Avenue underpass; and

WHEREAS, the Engineers estimate for underpass replacement greatly exceeded project budget; and

WHEREAS, staff and the City of Mendota Heights developed an alternative design that keeps project within budget; and

WHEREAS; alternative design meets regional greenway design standards and improves existing Marie Avenue underpass and adds a new at-grade crossing.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to amend the joint powers agreement with the City of Mendota Heights for the River to River Greenway – Marie Avenue based upon alternative design to improve existing underpass and construct a new at-grade crossing.

20-197

Authorization To Solicit Proposals For Consultant Services For Design And Engineering Of Veterans Memorial Greenway

WHEREAS, the scope of the Veterans Memorial Greenway project is the development of a five-mile greenway with five to seven memorials and one large area for community events that connects from the Mississippi River Regional Greenway to Lebanon Hills Regional Park; and

WHEREAS, the Board has authorized: 1) submitting a \$5,000,000 bonding request to the State for a \$10,000,000 project that includes a \$5,000,000 local share by Resolution No. 19-564 (June 4, 2019); 2) preparing a feasibility study, updating Federal and State legislative funding requests, soliciting a few Veteran group project advocates and returning to the Board for a renaming of the greenway by Resolution No. 19-678 (August 20, 2019); 3) a contract amendment with Short-Elliott-Hendrickson, Inc., for preparing a feasibility study by Resolution No.19-770 (October 29, 2019); and 4) renaming the Rich Valley Greenway to the Veterans Memorial Greenway by Resolution No. 20-038 (January 21, 2020); and

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WHEREAS, the Dakota County 2020 State legislative platform includes a \$5,000,000 bonding request with a \$5,000,000 local match for a \$10,000,000 project; and

WHEREAS, the Dakota County 2020 Federal legislative platform requests \$10,000,000 to deliver the Veteran Memorial Greenway project; and

WHEREAS, the current Board request to authorize the solicitation of proposals for design and engineering consultant services would result in stronger legislative funding requests by advancing schedule and positioning the project as shovel-ready; and

WHEREAS, the general scope of work would be the development of 100 percent construction plans, securing of easements and necessary agency approvals allowing for a timely bidding process, subject to appropriation of project funding; and

WHEREAS, the scope will also establish a phased implementation approach that constructs those segments which are shovel ready and sequencing other segments that require additional work before construction; and

WHEREAS, staff recommends Board authorization to solicit proposals for design and engineering consultant services for the Veterans Memorial Greenway to advance project readiness and enhance legislative funding requests; and

WHEREAS, the approved 2020 Parks Capital Improvement Program Budget includes funding of \$ 2,500,000 and earmarks an additional \$2,500,000 in 2021 to accommodate a \$5,000,000 local match for a potential \$5,000,000 State bonding appropriation; and

WHEREAS, approximately \$1,080,000 of the approved \$2,500,000 could be used for the design and engineering consultant plus the interpretation plan for the memorial nodes.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorize staff to solicit proposals for design and engineering consultant services for the Veterans Memorial Greenway to advance project readiness and enhance legislative funding requests; and

BE IT FURTHER RESOLVED, That authorization to enter into contract with the preferred consultant would be considered at a future Board meeting.

20-198

Authorization To Execute Contract With Wenck Associates, Inc. To Provide Engineering Services For Construction Of Byllesby Dam Water-To-Wire Redevelopment Project

WHEREAS, Dakota County owns the Lake Byllesby Dam and operates its hydroelectric facility under the Federal Energy Regulatory Commission (FERC) safety regulations; and

WHEREAS, by Resolution No. 15-532 (October 20, 2015), the Dakota County Board of Commissioners authorized staff to execute a contract for preliminary design tasks on a turbine upgrade project to replace the existing century-old equipment in the dam; and

WHEREAS, by Resolution No. 17-421 (September 1, 2017), Dakota County accepted \$6,000,000 in State bonding dollars to supplement the County's approved 2018–2022 Byllesby Dam Capital Improvement Program (CIP) budget which currently has a total project budget of \$14,000,000; and

WHEREAS, to complete this project, county staff developed a team including; an engineering consultant to provide project design, a turbine manufacturer to provide turbine and generation equipment in a complete package (e.g., water-to-wire equipment), and a general contractor for redevelopment of the site with installation of the equipment and modification to the powerhouse structure; and

WHEREAS, by Resolution No. 15-532 (October 20, 2015), the Dakota County Board of Commissioners

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authorized execution of a contract with Ayres Associates, Inc. for engineering design services to complete turbine and powerhouse upgrades for the Byllesby Dam Water-to-Wire Redevelopment Project; and

WHEREAS, by Resolution No. 19-773 (October 29, 2019), the Dakota County Board of Commissioners authorized execution of a contract with Boldt Construction, LLC to perform Construction Manager/General Contractor Services related to the redevelopment of the site for the project; and

WHEREAS, Ayres Associates has prepared final design documents, and Boldt Construction is in the process of providing detailed pricing and scheduling for construction; and

WHEREAS, because of the relatively large scope and highly technical components within the project, staff prepared a request for proposal (RFP) to provide on-site engineering services during the construction of the project; and

WHEREAS, these services will provide engineering oversight, documentation of detailed construction activities including daily construction observation, facilitation of project during site meetings, and other tasks as assigned; and

WHEREAS, on March 31, 2020, staff received two proposals for construction administration services for the Project and received proposals from two firms; and

WHEREAS, due to litigation with one of the firms, their proposal was not accepted; and

WHEREAS, staff recommends the acceptance of the Wenck Associates, Inc. proposal based on their qualifications, key personnel, and experience of the requirements as outlined in the RFP; and

WHEREAS, staff has evaluated the proposal from Wenck Associates, Inc. and found it to be sound and justified.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute a contract with Wenck Associates, Inc. to provide engineering services for the construction of the Byllesby Dam Water-to-Wire Redevelopment Project in the amount not to exceed \$638,300, subject to the County Attorney's Office as to form.

Operations, Management And Budget

Report On Invoices Paid In March 2020

This item was on the agenda for informational purposes only.

Physical Development

20-199

Authorization To Execute Utility Reimbursement Agreement With Great River Energy For Reinforcement Of Structures On Transmission Line For County Project 91-25

WHEREAS, Dakota County is proposing County Project (CP) 91-25 to reconstruct County State Aid Highway (CSAH) 91; and

WHEREAS, Great River Energy is operating a transmission line within its own easement along County State Aid Highway (CSAH) 91; and

WHEREAS, CP 91-25 includes construction that requires the reinforcement of transmission line poles, owned by Great River Energy, along CSAH 91 within a private utility easement; and

WHEREAS, Great River Energy estimates that the cost to design the reinforcement for the transmission line poles

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is \$17,571; and

WHEREAS, to proceed with construction, Dakota County must enter into an agreement with Great River Energy to have Great River Energy design the reinforcement for the poles; and

WHEREAS, staff recommends execution of a reimbursement agreement with Great River Energy for the detailed design of reinforcement for the transmission line poles along CSAH 91 associated with the encroachment of CP 91-25 on the Great River Energy easement to proceed in an estimated amount of \$17,571; and

WHEREAS, a second agreement to construct the reinforcement of the poles will be brought before the County Board at a future date.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute an agreement with Great River Energy for the final design of the reinforcement of transmission line poles along County State Aid Highway 91 in the amount of the actual costs currently estimated at \$17,571, subject to approval by the County Attorney's Office as to form.

20-200

Authorization To Execute Agreement No. 1036711 With MnDot For Federal Participation In Advanced Construction And Amend 2020 Transportation Capital Improvement Program Adopted Budget For County Project 9-55 In City Of Lakeville

WHEREAS, to provide a safe and efficient transportation system, Dakota County (County) is partnering with the City of Lakeville (City) on County Project (CP) 9-55; and

WHEREAS, CP 9-55 is preliminary and final design engineering and public engagement process for converting the full-access intersection of County State Aid Highway 9 and Icenic Trail/Heritage Drive to a partial-access intersection; and

WHEREAS, the County is the lead agency for CP 9-55 with construction scheduled to begin in summer 2020; and

WHEREAS, the adopted Transportation Capital Improvement Program (CIP) budget contains \$1,030,000 for CP 9-55, including \$530,000 that will be carried over from previous years for design, right of way acquisition, construction and construction administration; and

WHEREAS, CP 9-55 was originally awarded \$360,000 in Federal funding through the Highway Safety Improvement Program; and

WHEREAS, \$28,800 of additional Federal funding was awarded to CP 9-55 through Metro State Aid in February 2020; and

WHEREAS, an agreement for federal participation with the Minnesota Department of Transportation (MnDOT) is necessary for the County to advance funds in 2020 for reimbursement by MnDOT in 2021; and

WHEREAS, staff recommends execution of an agreement with MnDOT for advanced construction of CP 9-55.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute Agreement No. 1036711 with the Minnesota Department of Transportation for advanced construction for County Project 9-55, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the 2020 Transportation Capital Improvement Program Budget is hereby amended to include additional Federal funds awarded to CP 9-55 as follows:

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Expense	
County Project 9-55	<u>\$28,800</u>
Total Expense	\$28,800

Revenue	
Highway Safety Improvement Program	<u>\$28,800</u>
Total Revenue	\$28,800

20-201

Authorization To Execute Joint Powers Agreement With Vermillion River Watershed Joint Powers Organization For County Project 78-06 In Castle Rock Township And Amend The 2020 Transportation Capital Improvement Program Budget

WHEREAS, to promote a safe and efficient transportation system, Dakota County reconstructed County Road (CR) 78 (Denmark Avenue and 240th Street) from the CR 78 (235th Street) and CR 31 intersection to Trunk Highway 3 in Castle Rock Township; and

WHEREAS, the reconstruction project began in the summer of 2017 and was completed in the spring of 2018; and

WHEREAS, the project included a 10.7-acre wetland and stormwater area designed to remove nitrates from stormwater before entering the Vermillion River; and

WHEREAS, the wetland and stormwater area require vegetation management and monitoring to achieve and maintain mitigation plan performance standards and become certified for wetland mitigation; and

WHEREAS, a Joint Powers Agreement (JPA) is needed to define responsibilities and cost-sharing of the vegetation management between the Dakota County and the Vermillion River Watershed Joint Powers Organization (VRWJPO); and

WHEREAS, the JPA identifies the VRWJPO as the lead agency for all vegetation management and monitoring of the area; and

WHEREAS, the JPA includes cost-sharing between Dakota County and VRWJPO that is 75 percent and 25 percent, respectively; and

WHEREAS, staff recommends authorizing the Physical Development Director to execute a JPA with the VRWJPO and amending the budget to transfer project funds to the VRWJPO for vegetation management in an amount not to exceed \$25,000.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute a joint powers agreement with the Vermillion River Watershed Joint Powers Organization to outline responsibilities and cost-sharing associated with vegetation management on County Project 78-06, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the 2020 Transportation Capital Improvement Program budget is hereby amended to transfer funds from County Project 78-06 to the Vermillion River Watershed Joint Powers Organization as follows:

Expense	
Vermillion River Watershed Joint Powers Organization	\$25,000
County Project 78-06	<u>(\$25,000)</u>
Total Expense	\$0

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20-202

Approval Of Final Plats Recommended By Plat Commission

WHEREAS, new subdivisions adjoining County highways are reviewed under the Dakota County Contiguous Plat Ordinance No. 108; and

WHEREAS, the Plat Commission examines plats prior to County Board approval; and

WHEREAS, the Plat Commission has reviewed and recommends approval of the final plats by the County Board; and

WHEREAS, the final plat approval by the County Board is subject to the conditions established by the Plat Commission review; and

WHEREAS, the following plats below require approval by their respective City Council prior to the recording of the plats.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the following final plats:

FEDEX LAKEVILLE 2ND ADDITION	Lakeville
LEXINGTON LOGISTICS CENTER	Egan
TRANSIT TEAM ADDITION	Burnsville

20-203

Authorization To Execute Contract With Short Elliott Hendrickson, Inc., For Construction Management Services For River To River Greenway - Robert Street Crossing (P00081) In City Of West St. Paul

WHEREAS, to provide a safe and efficient transportation system, Dakota County and the City of West St. Paul are proceeding with the River to River Greenway – Robert Street Crossing project (Project); and

WHEREAS, the County is the lead agency for the Project with construction scheduled to begin in spring 2020; and

WHEREAS, the 2020 construction workload is greater than the number of available County staff; and

WHEREAS, an engineering firm with this specialty will provide construction management in 2020; and

WHEREAS, the three proposals were evaluated by Transportation, Parks and City of West St. Paul staff; and

WHEREAS, the proposal from Short Elliott Hendrickson (SEH), Inc. highlights their strong technical expertise, staff, and experience with large scale transportation projects and meets the requirements of this project; and

WHEREAS, the proposed construction management is 7.9 percent of the estimated construction cost; and

WHEREAS, the proposed Parks Capital Improvement Program budget includes sufficient funding in 2020 for the Project; and

WHEREAS, the County Engineer recommends execution of a contract with SEH for construction management services for the River to River Greenway – Robert Street Crossing project for actual costs not to exceed \$357,906.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute a contract with Short Elliott Hendrickson, Inc., for construction management services for the River to River Greenway – Robert Street Crossing project in an amount not to

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exceed \$357,906, subject to approval by the County Attorney's Office as to form.

20-204

Award Of Bid And Authorization To Execute Contract With OMG Midwest, Inc., Dba Minnesota Paving & Materials For Pavement Preservation And Miscellaneous Projects And Amend Transportation Capital Improvement Program Budget

WHEREAS, to provide a safe and efficient transportation system, Dakota County is proceeding with their 2020 pavement preservation and miscellaneous projects; and

WHEREAS, the 2020 projects include County Projects (CP) 9-59, 9-60, 14-33, 26-61, 26-62, 28-60, 28-61, 31-104, 32-108, 42-158, 46-51, 46-55, 60-25, and 73-33; and

WHEREAS, bids were received for the 2020 pavement preservation and miscellaneous project on April 7, 2020; and

WHEREAS, the 2020 Transportation Capital Improvement Program (CIP) Adopted Budget includes funding for Highway Surface-Bituminous Projects, Safety and Management Projects, Storm Sewer System Repairs, Durable Pavement Markings, and CP 9-60; and

WHEREAS, Dakota County currently has a fund balance for transportation projects; and

WHEREAS, the projects include funding from five cities for their share of utility repairs; and

WHEREAS, the bid of Minnesota Paving & Materials in the amount of \$8,722,733.40 was the lowest responsive and responsible bid received; and

WHEREAS, staff recommends awarding the bid to Minnesota Paving & Materials.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby awards the bid to and authorizes the Physical Development Director to execute the contract with OMG Midwest, Inc., dba Minnesota Paving & Materials for 2020 pavement preservation and miscellaneous projects in the amount of \$8,722,733.40 based on their low bid, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the 2020 Transportation CIP Adopted Budget is hereby amended as follows:

Expense	
2020 Projects: County Projects 9-59, 14-33, 26-61, 26-62, 28-60, 28-61, 31-104, 32-108, 42-158, 46-51, 46-55, 60-25 & 73-33	\$8,541,888
Highway Surface-Bituminous Projects (State Aid)	(\$3,871,429)
Highway Surface-Bituminous Projects (County Funds)	(\$ 800,000)
Safety & Management Projects (State Aid)	(\$ 631,459)
Safety & Management Projects (County Funds)	(\$ 270,025)
Storm Sewer Repairs	(\$ 399,608)
Durable Pavement Markings	(\$ 319,875)
Transportation CIP Fund Balance	<u>(\$1,642,897)</u>
Total Expense	\$ 606,595
Revenue	
City of Apple Valley	\$ 57,356
City of Lakeville	\$ 172,342
City of Eagan	\$ 68,915
City of Inver Grove Heights	\$ 288,263
City of West St. Paul	<u>\$ 19,719</u>
Total Revenue	\$ 606,595

April 21, 2020

20-205

Authorization To Execute Contract Amendment With HDR, Inc., For Final Design Services On The Mississippi River Greenway - Rosemount East In City Of Rosemount (P00109)

WHEREAS, the Mississippi River Greenway (MRG) - Rosemount East segment, is the last remaining segment of regional trail to be secured, designed, and constructed in order to connect the national Mississippi River Regional Trail (MRRT) from Hastings to South St. Paul; and

WHEREAS, the MRG - Rosemount East, includes construction of 2.7 miles of trail from its connection with MRG West to Spring Lake Park Reserve; and

WHEREAS, in the fall of 2017, based upon project cost and land control concerns with the current alignment along Highway 55, staff contacted representatives from CF Industries, Flint Hills Resources, Union Pacific, and the City of Rosemount to consider an alternative design option for MRG - Rosemount East along Pine Bend Trail Road; and

WHEREAS, the opportunity to secure a less costly design with fewer land acquisition challenges, which would provide a safe and better recreational experience than the Brown Alignment design, was deemed by the County Board to be worth the risks associated with delaying the current project in order to fully vet this opportunity; and

WHEREAS, by Resolution No. 20-164 (March 24, 2019), the Dakota County Board of Commissioners adopted Alternative #3, Two-way Pine Bend Trail Road, as the preferred alignment to advance to final design for Mississippi River Greenway (MRG) - Rosemount East; and

WHEREAS, the City of Rosemount and Dakota County are pursuing a joint powers agreement to advance design and construction of the remaining section of the Mississippi River Greenway in Rosemount; and

WHEREAS, by Resolution No. 18-115 (February 27, 2018), the County Board authorized execution of a contract with HDR, Inc., for \$347,692 for engineering and design services for MRG – Rosemount East; and

WHEREAS, by Resolution No. 18-562 (November 6, 2018), the County Board authorized execution of a contract amendment with HDR, Inc., in the amount of \$124,734 for a new contract value not to exceed \$472,425; and

WHEREAS, an amendment of the current professional engineering services contract with HDR, Inc., is necessary to complete final design engineering and maintain schedule for federal funding; and

WHEREAS, HDR's project team includes railroad experience as well as being a Union Pacific Railroad Company preferred service provider that has a thorough understanding of the railroad coordination required to complete the final design; and

WHEREAS, the 2020 Parks Capital Improvement Program Budget includes sufficient funds for the Project; and

WHEREAS, the County Engineer recommends execution of a contract amendment with HDR, Inc., for professional engineering consulting services for MRG – Rosemount East in an amount of \$362,875 for a new total cost not to exceed \$835,300 including reimbursable items.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to amend the contract with HDR, Inc., to perform final design engineering services for MRG – Rosemount East in the amount of \$362,875, resulting in an amended total contract amount of \$835,300, including reimbursable items, subject to approval by the County Attorney's Office as to form.

20-206

Authorization To Acquire Property From Donald L. Peterson Family Limited Partnership And Amend Environmental Resource Capital Improvement Program Budget

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WHEREAS, by Resolution No. 13-441 (August 27, 2013), the Dakota County Board of Commissioners approved the Lake Marion Greenway (Greenway) Master Plan; and

WHEREAS, the Greenway includes the South Creek tributary to the Vermillion River, a Minnesota Department of Natural Resources designated trout stream, as one of the key water resources within the Greenway; and

WHEREAS, the Donald L. Peterson Family Limited Partnership (Peterson) owns 231.4 acres of primarily agricultural land in the southwestern portion of Farmington that includes 2,850 feet of South Creek; and

WHEREAS, after several years of negotiation, Peterson has agreed to sell fee title to 32.5 acres, which includes the future greenway trail corridor, South Creek, floodplain and riparian habitat, current cultivated land, and public access from 220th Street as a new County Park Conservation Area; and

WHEREAS, the appraised value of the 32.5-acre Peterson property, including the public access corridor, is \$240,400, and Peterson has agreed to sell the 32.5 acres for \$240,400; and

WHEREAS, the estimated closing costs are \$2,000 for a total estimated acquisition cost of \$242,400; and

WHEREAS, the County has received Minnesota Law 2018 (ML18) Outdoor Heritage (OH) grant funds and has available County OH match funds to expend to acquire the natural area (NA) portion of the Peterson property as an eligible project; and

WHEREAS, the Greenway corridor portion of the Peterson property is not eligible for OH funding, there is no available Acquisition Opportunity Funds from the Metropolitan Council to acquire the Greenway corridor portion of the Peterson property until August, and Peterson is unable to wait that long to sell; and

WHEREAS, there is unexpended County match to existing OH grants in the 2020 Environmental Resources (ER) Capital Improvement Program (CIP) and unencumbered County AOF match greenway funding in the 2020 Parks CIP to expend for the Greenway corridor portion of the Peterson property; and

WHEREAS, OH funding requires a Notice of Funding Restriction for the NA Easement be executed by the County Board Chair and to record such restriction on the Peterson property prior to funding reimbursement by the State of Minnesota; and

WHEREAS, the final acquisition costs of the Peterson property will be determined after the settlement statements are finalized.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the expenditure of up to \$242,400, including an estimated \$2,000 for closing costs, to acquire fee title to 32.5 acres of the Peterson property in the City of Farmington as a new County Park Conservation Area; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute a purchase agreement with Peterson to acquire 32.5 acres of the Peterson property, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Board Chair to execute a Notice of Funding Restriction as required for use of ML18 OH funds for acquiring the NA Easement on the Peterson property, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the 2020 Environmental Resources Capital Improvement Program (CIP) budget is hereby amended as follows:

Expense	
Peterson Property Acquisition	<u>\$207,400</u>
Total Expense	\$207,400

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Revenue	
OHF ML 18 State Revenue	\$137,920
OHF ML 18 County Match	\$ 34,480
OHF ML 14 County Match	<u>\$ 35,000</u>
Total Revenue	\$207,400

; and

BE IT FURTHER RESOLVED, That following final completion of the acquisition of the Peterson property, staff will submit the necessary forms and documentation to the State of Minnesota to receive approximately \$137,920 in ML18 OH reimbursement funds.

Public Safety

20-207

Authorization To Execute A Mutual Aid Agreement With Carver County Sheriff's Office For Emergency Inmate Housing

WHEREAS, Dakota County currently has Mutual Aid Agreements with the counties of Goodhue, Scott, and Washington for temporary boarding of jail inmates in the event of a significant or catastrophic event causing jail space to be unavailable; and

WHEREAS, the Dakota County Sheriff's Office and Carver County Sheriff's Office wish to enter into a similar Mutual Aid Agreement through December 31, 2023; and

WHEREAS, payment for services rendered under the Agreement will be made at a pre-determined daily rate per detainee, in addition to reimbursement for medical, dental, and prescription costs incurred.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Dakota County Sheriff to execute a Mutual Aid Agreement with the Carver County Sheriff's Office through December 31, 2023, to temporarily board jail inmates in the event a major or catastrophic event occurs, and jail space is temporarily unavailable in the detaining county, subject to approval by the County Attorney's Office as to form.

REGULAR AGENDA

County Board/County Administration

Update On Monitoring Of Coronavirus Outbreak

Director of Public Health Bonnie Brueshoff and Deputy County Manager Jean Erickson briefed this item and responded to questions. This item was on the agenda for informational purposes only. No staff direction was given by Board members.

Physical Development

20-208

Award Of Bid And Authorization To Execute Contract With AP Midwest, LLC To Provide General Contractor Services For Safety Mental Health Alternative Response Training Center Project

Senior Project Manager Joe Lexa briefed this item and responded to questions.

Motion: Thomas A. Egan

Second: Joe Atkins

WHEREAS, the 2018 Building Capital Improvement Program Adopted Budget authorized the Safety Mental

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Health Alternative Response Training (SMART) Center Project; and

WHEREAS, bid documents and specifications were prepared by Collaborative Design Group, Inc., and advertised on March 12, 2020; and

WHEREAS, twelve competitive bids were received on April 2, 2020; and

WHEREAS, AP Midwest, LLC, with a business address of 1010 Dale Street North, Saint Paul, MN 55117-5603, has submitted a bid of \$8,385,972; and

WHEREAS, staff and Collaborative Design Group, Inc., reviewed the qualifications of the bidder and recommended award to AP Midwest, LLC as the lowest responsive and responsible bidder, in an amount not to exceed \$8,385,972, for the SMART Center Project; and

WHEREAS, funding for the project is within the 2020 Building Capital Improvement Program Adopted Budget.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Parks, Facilities, and Fleet Management Director to execute a contract with AP Midwest, LLC in an amount not to exceed \$8,385,972 for the Safety Mental Health Alternative Response Training (SMART) Center, subject to approval by the County Attorney's office as to form.

Ayes: 7

Nays: 0

Interagency Announcements/Reports

Interagency announcements and reports were then presented.

County Manager's Report

County Manager Matt Smith gave an update on the following items:

- There will be a Special County Board meeting on April 28, 2020. Topics will include an update on public facing services and mental health, as well as discussion regarding Property taxes.
- The County has drop-off locations set up for the donation of Personal Protection Equipment (PPE).

Closed Executive Session

20-209

Closed Executive Session: Labor Negotiations Strategy

Motion: Kathleen A. Gaylord

Second: Mary Liz Holberg

WHEREAS, upon adoption of a resolution by majority vote, the Dakota County Board is authorized pursuant to Minn. Stat. § 13D.03, to hold a closed executive session to discuss labor negotiations strategy for certain COVID-19 related benefits; and

WHEREAS, the Dakota County Board of Commissioners desires to meet to discuss labor negotiations strategy.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby closes the County Board meeting on April 21, 2020, and recesses to a confidential telephone conference conducted in accordance with Minnesota Statutes sections 13D.021 and 13D.03.

Ayes: 7

Nays: 0

The time being 10:25 a.m. and pursuant to public notice, the County Board joined via a confidential telephone conference conducted in accordance with Minnesota Statutes sections 13D.021 and 13D.03. to hold a Closed

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Executive Session to discuss labor negotiations strategy.

The following were present:

Commissioner Mike Slavik, District 1
Commissioner Kathleen A. Gaylord, District 2
Commissioner Thomas A. Egan, District 3
Commissioner Joe Atkins, District 4
Commissioner Liz Workman, District 5
Commissioner Mary Liz Holberg, District 6
Commissioner Chris Gerlach, District 7
Matt Smith, County Manager
Tom Donely, First Assistant County Attorney
Jeni Reynolds, Sr. Administrative Coordinator to the Board
Andrew Benish, Employee Relations Director
Jeff Timmerman, Employee Relations Deputy Director
Jim Backstrom, County Attorney
Nathan Hanson, Tech Support

The Closed Executive Session continued until 11:10 a.m., at which time the Board reconvened to close the County Board meeting with all members present.

Information

See Attachment A - Future Board Meetings And Other Board Activities

20-210

Adjournment

Motion: Kathleen A. Gaylord

Second: Thomas A. Egan

On a motion by Commissioner Kathleen A. Gaylord, seconded by Commissioner Thomas A. Egan, the meeting was adjourned at 11:11a.m.

Mike Slavik
Chair

ATTEST

Matt Smith
County Manager