

August 18, 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.mn.us
It was noted that comments were received by Greenvale Township Clerk Linus Langer whom thanked the County Board and staff for a great job with the Primary Election.

20-378

Approval Of Agenda (Additions/Corrections/Deletions)

Motion: Liz Workman

Second: Kathleen A. Gaylord

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

CONSENT AGENDA

Motion: Thomas A. Egan

Second: Joe Atkins

On a motion by Commissioner Thomas A. Egan, seconded by Commissioner Joe Atkins, the consent agenda was approved as follows:

20-379

Approval Of Minutes Of Meeting Held On August 4, 2020

Items Recommended By Board Committee

20-380

Authorization To Execute Metropolitan Council Contract With Dakota County For Geospatial Data Formatting To Continue Dakota County Participation In MetroGIS

WHEREAS, Minn. Stat. § 471.59 authorizes local governmental units to jointly or cooperatively exercise any

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power common to the contracting parties; and

WHEREAS, through the MetroGIS initiative, established in 1996, the seven metropolitan counties (hereafter “counties”), the Metropolitan Council (hereafter “Council”), and other interests have been working on regional and collaborative solutions to create, maintain, and distribute commonly needed geospatial (GIS) data; and

WHEREAS, in 1999, the MetroGIS Policy Board (hereafter “Board”) directed MetroGIS staff to develop a Business Plan to provide direction for future collaborations necessary to realize the MetroGIS vision; and

WHEREAS, the Metropolitan Council Board accepted a Business Plan for MetroGIS on June 14, 2000; and

WHEREAS, the Business Plan identified the need to for the Council and the counties to collaborate to build regional GIS datasets for distribution to public sector stakeholders, such as state agencies, municipalities and watershed districts; and

WHEREAS, the counties subsequently entered into agreements with the Council to build regional GIS data sets; and

WHEREAS, in August 2016, the County entered into the current such agreement with the Council; and

WHEREAS, that agreement expires on December 31, 2020; and

WHEREAS, the new agreement shall commence on January 1, 2021 and remain in effect until December 31, 2023, with an option to be extended for a single, two-year term; and

WHEREAS, the County wishes to continue to participate in the MetroGIS collaborative; and

WHEREAS, under this agreement, the Metropolitan Council will provide \$4,000 per year to help cover costs of performing tasks defined in the agreement.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Chief Information Officer to execute the Metropolitan Council Contract with Dakota County for Geospatial Data Formatting, subject to approval by the County Attorney’s Office as to form; and

BE IT FURTHER RESOLVED, That \$4,000 per year received from the Metropolitan Council under this agreement be deposited in the GIS Enterprise Fund.

Ayes: 7

Nays: 0

20-381

Approval Of Amendments To Dakota County Ordinance No. 125 Regulating Licensing And Sale, Possession And Use Of Tobacco, Tobacco Products And Tobacco-Related Devices In Dakota County, And Scheduling Of Public Hearing To Receive Comments

WHEREAS, pursuant to the authority vested in it by Minn. Stat. § 461.12 to license retail stores that sell tobacco and tobacco-related products within towns and unincorporated areas, and in cities that choose not to license and regulate retailers, the Dakota County Board of Commissioners enacted Ordinance No. 125 by Resolution No. 99-191 (March 23, 1999), and it was amended by Resolution No. 18-807 (February 6, 2018); and

WHEREAS, the Federal law changed on December 20, 2019, to increase the legal age of sale from 18 to 21; and

WHEREAS, staff from the County Attorney’s Office, Public Health and Public Services and Revenue reviewed Ordinance No. 125 and recommend amendments to align with the Federal law; and

WHEREAS, at the General Government and Policy Committee of the Whole on March 10, 2020, the Committee

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approved amendments to the ordinance to align with Federal law; and

WHEREAS, the State law was changed on May 16, 2020, to increase the legal age of sale from 18 to 21; and

WHEREAS, staff from the County Attorney's Office, Public Health and Public Services and Revenue reviewed Ordinance No. 125 and recommends additional amendments to align with State law; and

WHEREAS, a public hearing is required for the purpose of receiving comments and informing the public on amendments to Dakota County Ordinances.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves such amendments pursuant to a public hearing to be scheduled; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the scheduling of a public hearing to receive comments on the proposed amendments to Dakota County Ordinance 125, regulating the licensing and sale, possession and use of tobacco, tobacco-related devices in Dakota County at 9:00 a.m. on September 1, 2020, in the Boardroom of the Dakota County Administration Center, 1590 Highway 55, Hastings, Minnesota, or via telephone or other electronic means if necessary due to the ongoing COVID-19 pandemic; and

BE IF FURTHER RESOLVED, That Dakota County Public Services and Revenue is hereby directed to publish in the Official County newspaper notice of the public hearing and the County Board's intent to enact such amendments.

Ayes: 7

Nays: 0

20-382

Authorization To Apply For Minnesota Department Of Health Statewide Health Improvement Partnership Grant, Accept Grant Funds, Execute Grant Agreements And Amend 2020 Public Health Budget

WHEREAS, by Resolution No. 19-613 (July 23, 2019), the County Board authorized acceptance of Dakota County's Statewide Health Improvement Partnership (SHIP 4, Year 5) award and funding from the Minnesota Department of Health (MDH) in the amount of \$782,859 for the period of November 1, 2019 through October 31, 2020, and an additional amount of \$10,000 for the period of June 1, 2019 through October 31, 2020, awarded for a special project; and

WHEREAS, MDH has requested applications, due August 31, 2020, for the next round of SHIP funding for the time period of November 1, 2020 through October 31, 2021, for the first year of an anticipated five-year agreement; and

WHEREAS, on July 1, 2020, MDH notified the County of an award for \$782,859 for the time period of November 1, 2020 through October 31, 2021, for the first year of an anticipated five-year agreement; and

WHEREAS, MDH also has extended the current five-year grant (scheduled to end October 31, 2020) through June 30, 2021, due to implementation delays caused by the COVID-19 Pandemic; and

WHEREAS, staff recommends the County Board authorizes staff to apply for funding for SHIP 2021 in the amount of \$782,859 for the period of November 1, 2020 through October 31, 2021; and

WHEREAS, staff recommends the County Board authorizes acceptance of the County's SHIP 2021 award and funding in the amount of \$782,859 for the period of November 1, 2020 through October 31, 2021; and

WHEREAS, staff recommends the County Board authorizes execution of the five-year grant agreement for the period of November 1, 2020 through October 31, 2025; and

WHEREAS, staff recommends the County Board authorizes execution of a no-cost grant amendment extending

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the current grant through June 30, 2021; and

WHEREAS, staff recommends amending the 2020 Public Health budget to reflect the funding that begins November 1, 2020.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes staff to submit an application for funding for SHIP 2021 in the amount of \$782,859 for the period of November 1, 2020 through October 31, 2021; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to accept the award of \$782,859 for the period of November 1, 2020 through October 31, 2021; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to execute a five-year grant agreement and accept future funding for the period of November 1, 2020 through October 31, 2025; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to execute a no-cost grant amendment extending the current grant through June 30, 2021; and

BE IT FURTHER RESOLVED, That unless the grant program requirements change, the Community Services 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 Dakota County Board of Commissioners hereby amends the 2020 Public Health budget as follows:

Revenue	
SHIP 2020 Grant	<u>\$32,000</u>
Total Revenue	\$32,000
Expense	
SHIP 2020 Grant	<u>\$32,000</u>
Total Expense	\$32,000

Ayes: 6

Nays: 1 Mary Liz Holberg

20-383

Authorization To Expand Financial Empowerment Outreach, Add A 1.0 Full-Time Equivalent, Amend 2020 Non-Departmental Budget And Amend 2020 Employment And Economic Assistance Adopted Budget

WHEREAS, the Financial Empowerment (FE) program supports the Community Services (CS) Division's mission of "Partnering with individuals, families and communities to build healthy, stable and vibrant lives"; and

WHEREAS, managed within Employment and Economic Assistance, the FE program provides a needed resource to all departments across the CS Division as well as the jail, and community organizations; and

WHEREAS, the FE program is an important component in the array of individual needs, as illustrated in the Social Determinants of Health; and

WHEREAS, Dakota County is a national leader with this initiative, as most community services county programs across the nation do not address this core need; and

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WHEREAS, this initiative fits within Employment and Income Stability as well as Housing Stability, two of the pillars of the Social Determinants of Health model; and

WHEREAS, the model is a holistic framework used to improve self-sufficiency of Dakota County residents; and

WHEREAS, the two Financial Empowerment Specialists are actively helping Dakota County residents improve their financial capability through one-on-one counseling and education; and

WHEREAS, due to COVID-19, counseling sessions have become virtual rather than in person; and

WHEREAS, this has added additional time to these sessions reducing the Specialists' ability to meet with the increasing number of people requesting their services; and

WHEREAS, in addition, in-person trainings and community resource events have been cancelled due to the pandemic; and

WHEREAS, to counteract the effects of COVID-19 and to provide valuable resources to a broader audience, it is important that FE educational and resource materials be available on the Dakota County website, via social media, through other technical avenues and available to be mailed; and

WHEREAS, we have identified five current trainings and additional educational resources to provided virtually without FE Counselor assistance; and

WHEREAS, Financial Capability resources such as virtual trainings, educational materials, budget examples, tips and links to other resources could be what is needed for a resident to improve their financial situation instead of attending a counseling session; and

WHEREAS; the demand for FE counseling services will increase as the current income supports for COVID-19 run out; and

WHEREAS, staff is requesting a 1.0 full-time equivalent, temporary administrative staff to collect the educational resources from FE staff to update the website, provide a social media presence, and manually send materials that FE Specialists currently and previously have not had the capacity to accomplish; and

WHEREAS, staff is requesting up to \$5,000 to be used for resource, material and administrative needs; and

WHEREAS, the County Board has determined the FE Outreach Program costs are necessary and a reasonable response to the COVID-19 Pandemic, therefore eligible for use of CARES Act funds.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to implement the CARES Financial Empowerment (FE) Outreach Program in an amount not to exceed \$50,000 for the period of August 4, 2020 through December 1, 2020; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to add a 1.0 full-time equivalent temporary staff for the Financial Empowerment program for the period of August 4, 2020 through December 1, 2020; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes an amendment to the 2020 Non-Departmental budget as follows:

Expense	
CARES Act Expenses	<u>(\$50,000)</u>
Total Expense	(\$50,000)
Revenue	
CARES Act	<u>(\$50,000)</u>

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Total Revenue (\$50,000)

; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes an amendment to the 2020 Employment and Economic Assistance Adopted Budget as follows:

Expense	
CARES Act FE Outreach	<u>\$50,000</u>
Total Expense	\$50,000

Revenue	
CARES Act	<u>\$50,000</u>
Total Revenue	\$50,000

; and

BE IT FURTHER RESOLVED, That this program will end immediately in the event that sufficient funds from county, state, or federal sources are no longer available to continue this program.

Ayes: 7

Nays: 0

20-384

Authorization To Provide Temporary Child Care Assistance, Amend 2020 Non-Departmental Budget And Amend 2020 Employment And Economic Assistance Budget

WHEREAS, the Basic Sliding Fee (BSF) program is a child care assistance program for low-income families that has consistently been under-funded creating an ongoing waitlist; and

WHEREAS, prior to COVID-19, families reported they could not find or retain employment due to high expense of and lack of access to child care assistance; and

WHEREAS, this is an even larger challenge currently due to COVID-19, and this proposed interim program would fill a needed gap, get families back to work sooner and provide seamless supports to employment and stability; and

WHEREAS, the Employment and Economic Assistance strategy is to fully utilize all child care subsidy programs and the CARES Act funding to provide child care assistance for families until they can be removed from the waitlist queue for the BSF program; and

WHEREAS, the purpose of the Temporary CARES Child Care Program is to provide assistance to eligible Dakota County families for child care expenses; and

WHEREAS, CARES Act funding will be used to cover expenses in the following areas: families currently on the BSF waitlist that were impacted by COVID-19, and families that have past due child care bills that impact their current ability to obtain or retain child care; and

WHEREAS, staff recommends authorization to implement the Temporary Child Care Assistance Program for payment of child care expenses in an amount not to exceed \$1,000,000 for the period of August 18, 2020 through December 1, 2020, amend the 2020 Non-Departmental budget and amend the 2020 Employment and Economic Assistance budget; and

WHEREAS, the County Board has determined that the Temporary Child Care Assistance Program costs are necessary and a reasonable response to the COVID-19 pandemic, therefore eligible for the use of CARES Act funds.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to implement the Temporary Child Care Assistance Program in an amount not to

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exceed \$1,000,000 for the period of August 18, 2020 through December 1, 2020; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes an amendment to the 2020 Non-Departmental budget as follows:

Expense	
CARES Act Expense	<u>(\$1,000,000)</u>
Total Expense	<u>(\$1,000,000)</u>

Revenue	
CARES Act	<u>(\$1,000,000)</u>
Total Revenue	<u>(\$1,000,000)</u>

; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes an amendment to the 2020 Employment and Economic Assistance budget as follows:

Expense	
CARES Act Temporary Child Care Assistance	<u>\$1,000,000</u>
Total Expense	<u>\$1,000,000</u>

Revenue	
CARES Act	<u>\$1,000,000</u>
Total Revenue	<u>\$1,000,000</u>

; and

BE IT FURTHER RESOLVED, That this program will end immediately in the event that sufficient funds from county, state, or federal sources are no longer available to continue this program.

Ayes: 7

Nays: 0

20-385

Authorization To Purchase And Install Self-Service Scanning Stations, Amend 2020 Non-Departmental Budget And Amend 2020 Employment And Economic Assistance Budget

WHEREAS, Child Support and Public Assistance applications and ongoing program eligibility requires numerous verifications and documents be received by Employment and Economic Assistance (E&EA) timely; and

WHEREAS, this can be a challenge for customers and takes a great deal of administrative time on both the part of the customer and Dakota County; and

WHEREAS, in February 2020, E&EA installed two self-scan stations at the Northern Service Center (NSC) to reduce administrative time and provide support for customers; and

WHEREAS, from February 2020 through March 2020, 264 documents were received in via a self-scan station, and the volume was anticipated to increase each month before COVID-19 restrictions caused Dakota County to close NSC as a site; and

WHEREAS, E&EA staff is proposing purchasing and installing eight additional self-service scanning stations, aiding in the collection of Public Assistance applications and supporting materials needed from Dakota County customers; and

WHEREAS, these stations would be installed in publicly accessible county buildings and partnering organizations spread throughout Dakota County; and

WHEREAS, these stations do not require onsite staffing, and will allow for easy and secure documentation

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scanning, allowing caseworkers to process eligibility more efficiently; and

WHEREAS, the stations will help minimize face-to-face contact, thus minimizing the potential spread of COVID-19; and

WHEREAS, installation and implementation will be modeled after the current set-up with minimal changes; and

WHEREAS, the scanned documents directly pertain to Child Support, Medical Assistance and other health care programs, the Supplemental Nutrition Assistance Program (SNAP/Food Support), cash programs for families and single adults, and Emergency Assistance benefits for housing or utilities; and

WHEREAS, E&EA staff believes these stations provide maximum accessibility for the clients they support; and

WHEREAS, staff recommends authorization to purchase and install eight self-service scanning stations at various Dakota County locations in an amount not to exceed \$25,000 for the period of August 18, 2020 through December 1, 2020, amend the 2020 Non-Departmental budget and amend the 2020 Employment and Economic Assistance budget; and

WHEREAS, the County Board has determined that the purchase and installation costs of eight self-service scanning stations are necessary and reasonable response to the COVID-19 pandemic, therefore eligible for use of CARES Act funds.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to purchase and install eight self-service scanning stations at various Dakota County locations in an amount not to exceed \$25,000 for the period of August 18, 2020 through December 1, 2020; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes an amendment to the 2020 Non-Departmental budget as follows:

Expense	
CARES Act Expenses	<u>(\$25,000)</u>
Total Expense	<u>(\$25,000)</u>

Revenue	
CARES Act	<u>(\$25,000)</u>
Total Revenue	<u>(\$25,000)</u>

; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes an amendment to the 2020 Employment and Economic Assistance budget as follows:

Expense	
CARES Act Self-Scanning Station Program	<u>\$25,000</u>
Total Expense	<u>\$25,000</u>

Revenue	
CARES Act	<u>\$25,000</u>
Total Revenue	<u>\$25,000</u>

; and

BE IT FURTHER RESOLVED, That this program will end immediately in the event that sufficient funds from county, state, or federal sources are no longer available to continue this program.

Ayes: 7

Nays: 0

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20-386

Authorization To Purchase And Install Virtual Intake Sites At Northern Service Center, Libraries And Community Partner Sites, Modification Of Existing Interview Rooms For Video Conference, Amend 2020 Non-Departmental Budget And Amend 2020 Employment And Economic Assistance Budget

WHEREAS, prior to COVID-19, administering Public Assistance programs required a high volume of in-person services at the Dakota County Northern Service Center (NSC) and at community partner sites, specifically, Hastings Family Service, Neighbors in South St. Paul, and 360 Communities in Burnsville and Rosemount; and

WHEREAS, in January 2020, there were 323 in-person intake appointments at the NSC and 67 in-person appointments at a community partner site; and

WHEREAS, in April 2020, in-person services completely stopped at the NSC and at community partner sites for the safety of customers and staff due to COVID-19 as well as due to State and Federal waivers enacted with the Peacetime Emergency; and

WHEREAS, we are proposing the ability to provide virtual Public Assistance Intake appointments at the NSC, current community partner sites and within some Dakota County Libraries in order to determine eligibility for Medical Assistance and/or other health care programs, the Supplemental Nutrition Assistance Program (SNAP/Food Support), cash programs for families and single adults, and Emergency Assistance benefits for housing or utilities; and

WHEREAS, by setting up computers at each location, we can virtually meet with clients, via Skype or Zoom, to complete Public Assistance interviews and answer questions from customers; and

WHEREAS, this requires additional equipment and layout modifications to allow for virtual intake; reconfiguring existing in-person, face to face rooms in favor of video conference interview rooms; and

WHEREAS, once sites are modified and equipment is in place, customers would have access to services closer to their home, and it will allow for a socially distant intake process especially for customers that would not otherwise have the means or technologies needed to participate in intake digitally, by phone or through the mail; and

WHEREAS, virtual service is an acceptable way of conducting business under federal and state guidelines; and

WHEREAS, during this time, it provides a broader, safer access to Public Assistance programs, allowing staff and customers to do business more efficiently, safely and within their own community; and

WHEREAS, staff recommends authorization to purchase and install virtual intake and video conferencing equipment at the NSC and some of the Dakota County Libraries and community partner sites in an amount not to exceed \$50,000 for the period of August 18, 2020 through December 1, 2020, amend the 2020 Non-Departmental budget and amend the 2020 Employment and Economic Assistance budget; and

WHEREAS, the County Board has determined that Public Assistance virtual intake and video conference interview equipment costs are a necessary and reasonable response to the COVID-19 pandemic, therefore eligible for the use of CARES Act funds.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to proceed with the purchase and installation of virtual intake and video conferencing equipment at the Northern Service Center and some of the Dakota County Libraries and community partner sites in an amount not to exceed \$50,000 for the period of August 18, 2020 through December 1, 2020; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes an amendment to the 2020 Non-Departmental budget as follows:

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Expense	
CARES Act Expense	<u>(\$50,000)</u>
Total Expense	(\$50,000)

Revenue	
CARES Act	<u>(\$50,000)</u>
Total Revenue	(\$50,000)

; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes an amendment to the 2020 Employment and Economic Assistance budget as follows:

Expense	
CARES Act Conference Interview Equipment	<u>\$50,000</u>
Total Expense	\$50,000

Revenue	
CARES Act	<u>\$50,000</u>
Total Revenue	\$50,000

; and

BE IT FURTHER RESOLVED, That this initiative will end immediately in the event that sufficient funds from county, state or federal sources are no longer available to continue this initiative.

Ayes: 7

Nays: 0

20-387

Authorization To Implement Community Mental Health Support, Amend 2020 Non-Departmental Budget And Amend 2020 Social Services Budget

WHEREAS, during the COVID-19 pandemic, Dakota County residents are experiencing increased stress, anxiety, isolation, uncertainty and exacerbation of existing health conditions; and

WHEREAS, residents, including people of color, are disproportionately impacted by COVID-19; and

WHEREAS, many individuals, communities and families experience barriers to accessing mental health support; and

WHEREAS, staff estimate 100 community members would benefit from additional low-cost, low-barrier mental health support; and

WHEREAS, staff recommends authorization to use Federal CARES Act Funds to offer grants of between \$5,000 and \$20,00 to community agencies to address unmet mental health needs; and

WHEREAS, these grants would be available to Dakota County agencies in an amount not to exceed \$100,000 for the period of August 4, 2020 through December 1, 2020; and

WHEREAS, the County Board has determined that the Community Mental Health Support costs are necessary and a reasonable response to the COVID-19 Pandemic, therefore eligible for use of CARES Act funds.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to offer grants to community organizations to provide mental health outreach, services and supports in an amount not to exceed \$100,000 for the period of August 4, 2020 through December 1, 2020; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby amends the 2020 Non-

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Departmental budget as follows:

Expense	
CARES Act Expenses	<u>(\$100,000)</u>
Total Expense	(\$100,000)

Revenue	
CARES Act	<u>(\$100,000)</u>
Total Revenue	(\$100,000)

; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby amends the 2020 Social Services budget as follows:

Expense	
CARES Act Employment Incentive	<u>\$100,000</u>
Total Expense	\$100,000

Revenue	
CARES Act	<u>\$100,000</u>
Total Revenue	\$100,000

; and

BE IT FURTHER RESOLVED, That these additional initiatives will end immediately if sufficient funds from county, state, or federal sources are no longer available to continue this program.

Ayes: 7

Nays: 0

20-388

Authorization To Continue And Expand Emergency Shelter Hotel Program, Add Housing Search Services, Amend 2020 Non-Departmental Budget And Amend 2020 Social Services Budget

WHEREAS, due to the COVID-19 public health emergency Dakota County transitioned all singles shelter capacity from congregate settings to hotel settings and added capacity, expanding from 10 units of hotel shelter to 90 units; and

WHEREAS, by Resolution No. 20-186 (April 7, 2020), the County Board authorized continuation of the seasonal singles emergency shelter operated by Matrix Housing Services and transitioned this program to 40 units of hotel sheltering; and

WHEREAS, by Resolution Nos. 20-239 (May 19, 2020) and 20-285 (June 16, 2020), Dakota County extended the existing seasonal Salvation Army hotel shelter program past the end date of April 1, 2020, expanded from 10 to 20 units, added 20 units of emergency hotel shelter with Ally Supportive Services, LLC (Ally), and allowed amendments to both vendors up to \$500,000; and

WHEREAS, Matrix Housing Services, Salvation Army and Ally all responded to a hotel shelter Request for Proposals and the 80 units of hotel shelter were funded through a Minnesota Department of Human Services (DHS) Shelter Allocation Grant as well as a one-time DHS Emergency Services Program grant; and

WHEREAS, through a partnership with the Scott Carver Dakota Community Action Partnership (CAP), Dakota County has access to ten units of hotel shelter for families funded through a grant received by CAP; and

WHEREAS, due to ongoing shelter needs and a public health emergency, staff proposes a \$1,600,000 CARES package to support hotel sheltering and housing search services to include: a continuation of hotel shelter program with Matrix, Salvation Army, Ally and CAP utilizing CARES funds from July 1, 2020 through December 1, 2020, for \$1,187,500; \$300,000 in grants to be issued to Dakota County vendors via RFP to other community agencies to expand hotel sheltering activity during this time; and additional case management services with Ally

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and Salvation Army to support housing search services for people residing in hotel shelter for a total of \$112,500; and

WHEREAS, there is an immediate and serious need for these services that cannot be met with other procurement methods, and that the services that may be contracted for are limited to those necessary to meet the emergency facing persons experiencing homelessness; and

WHEREAS, the County Board has determined that the emergency shelter hotel program costs are necessary and a reasonable response to the COVID-19 Pandemic, therefore eligible for use of CARES Act funds.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to implement the Emergency Shelter Hotel Program in an amount not to exceed \$1,600,000 for the period of August 4, 2020 through December 1, 2020; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby amends the 2020 Non-Departmental budget as follows:

Expense	
CARES Act	<u>(\$1,600,000)</u>
Total Expense	(\$1,600,000)

Revenue	
CARES Act	<u>(\$1,600,000)</u>
Total Revenue	(\$1,600,000)

; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby amends the 2020 Social Services budget as follows:

Expense	
CARES Act Hotel Sheltering Program	<u>\$1,600,000</u>
Total Expense	\$1,600,000

Revenue	
CARES Act	<u>\$1,600,000</u>
Total Revenue	\$1,600,000

; and

BE IT FURTHER RESOLVED, That this program will end immediately in the event that sufficient funds from county, state, or federal sources are no longer available to continue this program.

Ayes: 7

Nays: 0

20-389

Authorization To Expand Transportation Assistance, Amend 2020 Non-Departmental Budget And Amend 2020 Social Services Budget

WHEREAS, Dakota County Community Services is committed to creating transportation options for persons with disabilities, older adults and people who are served through the County's programs; and

WHEREAS, this is evidenced through the GoDakota initiative which includes such projects as the rideshare pilot and DakotaLink; and

WHEREAS, between March 16, 2020 and July 6, 2020, more than 66,000 Unemployment Insurance (UI) claims were filed in Dakota County, representing 27.2 percent of Dakota County's 2019 annual labor force and job layoffs and furloughs due to COVID-19 have created significant economic hardship for many individuals and

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families; and

WHEREAS, due to unemployment, underemployment and other financial instability impacts of COVID-19, many Dakota County residents who did not have transportation needs previously may be in a position today of requiring assistance; and

WHEREAS, Dakota County Community Services proposes a Transportation Assistance Program using an amount not to exceed \$245,000 in Dakota County CARES funds and the Transportation Assistance Program will include funds for a variety of transportation options, including: funds for rideshare rides through Lyft codes; funds for public transportation rides through Go-To cards; funds for rides with DARTS; and funds for food distribution through DARTS; and

WHEREAS, staff recommends authorization to implement a Transportation Assistance Program in an amount not to exceed \$245,000 for the period of August 18, 2020 through December 1, 2020, amend the 2020 Non-Departmental budget and amend the 2020 Social Services budget; and

WHEREAS, there is an immediate and serious need for these services that cannot be met with other procurement methods, and that the services that may be contracted for are limited to those necessary to meet the emergency facing individuals and families; and

WHEREAS, the County Board has determined that the Transportation Assistance Program costs are necessary and a reasonable response to the COVID-19 pandemic, therefore eligible for use of CARES Act funds.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to implement the Transportation Assistance Program in an amount not to exceed \$245,000 for the period of August 18, 2020 through December 1, 2020; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes an amendment to the 2020 Non-Departmental budget as follows:

Expense	
CARES Act Expenses	<u>(\$245,000)</u>
Total Expense	(\$245,000)

Revenue	
CARES Act	<u>(\$245,000)</u>
Total Revenue	(\$245,000)

; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes an amendment the 2020 Social Services budget as follows:

Expense	
CARES Act Transportation Assistance	<u>\$245,000</u>
Total Expense	\$245,000

Revenue	
CARES Act	<u>\$245,000</u>
Total Revenue	\$245,000

; and

BE IT FURTHER RESOLVED, That this program will end immediately in the event that sufficient funds from county, state, or federal sources are no longer available to continue this program.

Ayes: 7

Nays: 0

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20-390

Authorization To Implement Non-Profit Financial Assistance Program, Amend 2020 Non-Departmental Budget And Amend 2020 Social Services Budget

WHEREAS, non-profit organizations throughout Dakota County have experienced significant financial challenges due to the COVID-19 pandemic; and

WHEREAS, according to a recent report produced by the Minnesota Council of Non-profits, 80 percent of non-profits surveyed reported COVID-19 had significantly disrupted the work of their organizations, and half said they expect financial recovery to be difficult; and

WHEREAS, social distancing requirements during the pandemic have required many non-profit organizations to invest in additional technology, personal protective equipment (PPE), and other unexpected business expenses to continue serving the public; and

WHEREAS, in many cases, Dakota County Community Services relies heavily on these same non-profits to provide critical services and support to county residents in the areas of food, housing, economic assistance, transportation and health; and

WHEREAS, distributing a portion of Dakota County's CARES Act funding allocation to non-profit organizations will help to support the financial viability of these organizations which is critical to ensuring Dakota County remains a "Great Place to Live"; and

WHEREAS, the program would provide up to \$2,000,000 in direct assistance to Dakota County non-profits; and

WHEREAS, the program will require up to \$50,000 in costs for staff to administer the program; and

WHEREAS, staff recommends authorization to implement a non-profit financial assistance program in an amount not to exceed \$2,050,000 for the period of August 18, 2020 through December 1, 2020, amend the 2020 Non-Departmental budget and amend the 2020 Social Services budget; and

WHEREAS, the County Board has determined that the non-profit financial assistance program costs are necessary and a reasonable response to the COVID-19 pandemic, therefore eligible for use of CARES Act funds.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to implement a non-profit financial assistance program in an amount not to exceed \$2,050,000 for the period of August 18, 2020 through December 1, 2020; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes an amendment to the 2020 Non-Departmental budget as follows:

Expense	
CARES Act	<u>(\$2,050,000)</u>
Total Expense	(\$2,050,000)

Revenue	
CARES Act	<u>(\$2,050,000)</u>
Total Revenue	(\$2,050,000)

; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes an amendment to the 2020 Social Services budget as follows:

Expense	
CARES Act Non-Profit Financial Assistance	<u>\$2,050,000</u>
Total Expense	\$2,050,000

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Revenue	
CARES Act	<u>\$2,050,000</u>
Total Revenue	\$2,050,000

; and

BE IT FURTHER RESOLVED, That this program will end immediately in the event that sufficient funds from county, state, or federal sources are no longer available to continue this program.

Ayes: 7

Nays: 0

20-391

Authorization To Offer A Business Incentive To Dakota County Employers To Hire Or Re-Hire Individuals With Disabilities, Amend 2020 Non-Departmental Budget And Amend 2020 Social Services Budget

WHEREAS, during the COVID-19 pandemic, Dakota County has seen the unemployment rate for individuals with disabilities exceeding 90 percent; and

WHEREAS, 811 individuals with disabilities were employed by a Dakota County community business prior to COVID-19, and that number is now estimated to be approximately 80; and

WHEREAS, many individuals with disabilities who were previously employed prior to COVID-19 are not eligible for traditional unemployment benefits provided by the State; and

WHEREAS, staff estimates 50 individuals with disabilities would benefit from this Business Incentive program and would be hired or re-hired by a Dakota County business; and

WHEREAS, staff recommends authorization to offer a one-time \$3,000 business incentive to Dakota County employers who hire or re-hire an individual with disabilities in an amount not to exceed \$150,000 for the period of August 18, 2020 through December 31, 2020, amend the 2020 Non-Departmental budget and amend the 2020 Social Services budget; and

WHEREAS, this incentive would be available to Dakota County employers in an amount not to exceed \$150,000 for the period of August 18, 2020 through December 31, 2020; and

WHEREAS, the County Board has determined Business Incentive costs to Dakota County employers to hire or re-hire individuals with disabilities are necessary and is a reasonable response to the COVID-19 pandemic, therefore eligible for use of CARES Act funds.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota Board of Commissioners hereby authorizes the Community Services Director to offer a \$3,000 business incentive to Dakota County employers who hire or re-hire an individual with disabilities in an amount not to exceed \$150,000 for the period of August 18, 2020 through December 31, 2020, 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 an amendment to the 2020 Non-Departmental budget as follows:

Expense	
CARES Act	<u>(\$150,000)</u>
Total Expense	(\$150,000)

Revenue	
CARES Act	<u>(\$150,000)</u>
Total Revenue	(\$150,000)

; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes an

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amendment to the 2020 Social Services budget as follows:

Expense	
CARES Act Employment Incentive	<u>\$150,000</u>
Total Expense	\$150,000

Revenue	
CARES Act	<u>\$150,000</u>
Total Revenue	\$150,000

; and

BE IT FURTHER RESOLVED, That this program will end immediately in the event that sufficient funds from county, state, or federal sources are no longer available at a level sufficient to continue this program.

Ayes: 7

Nays: 0

20-392

Scheduling Of Public Hearing For Program Year 2019 Consolidated Annual Performance And Evaluation Report

WHEREAS, the Dakota County Community Development Agency (CDA) administers the Community Development Block Grant (CDBG), HOME Investment Partnerships (HOME), and Emergency Solutions Grant (ESG) Programs on behalf of Dakota County as the grantee; and

WHEREAS, the CDBG, HOME, and ESG Programs are guided by federal regulations, the Five-Year Consolidated Plan that outlines Dakota County's strategies and objectives, and the Annual Action Plan that serves as the annual planning document allocating CDBG, HOME, and ESG funds to local governments and housing providers via approved activities; and

WHEREAS, the federal government requires submission of a year-end report, the Consolidated Annual Performance and Evaluation Report (CAPER), to be submitted to the U.S. Department of Housing and Urban Development (HUD) no later than 90 days after the end of the program year; and

WHEREAS, the CAPER is an evaluation of the prior program year, detailing financial expenditures, persons assisted, and activity outcomes; and

WHEREAS, the CAPER must be available for citizens to comment on before its submission to HUD; and

WHEREAS, the draft CAPER report will be made available to the public on the CDA and Dakota County websites, and the public may request written copies of the CAPER by contacting the CDA at its offices at 1228 Town Centre Drive, Eagan, Minnesota; and

WHEREAS, CDA, and County staff recommend scheduling a public hearing on September 22, 2020, regarding the Program Year 2019 CAPER.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby schedules a public hearing on September 22, 2020, at 9:00 a.m. in the Boardroom, Administration Center, 1590 Highway 55, Hastings, Minnesota, or via telephone or other electronic means if necessary due to the ongoing COVID-19 pandemic to receive comments on the Program Year 2019 Consolidated Annual Performance and Evaluation Report; and

BE IT FURTHER RESOLVED, That the staff of Dakota County is hereby authorized and directed to coordinate with Dakota County Community Development Agency staff to publish the public hearing notice in the Star Tribune and post said notice on the Dakota County Community Development Agency website at www.dakotacda.org and the Dakota County website at www.co.dakota.mn.us

Ayes: 7

Nays: 0

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20-393

Authorization To Submit Clean Water Fund Grant Application For Spring Lake Park Reserve Ravine Stabilization Project And Authorization To Execute Grant Agreements

WHEREAS, Spring Lake is a portion of Pool 2 of the Mississippi River located three miles upstream of U.S. Lock and Dam No. 2 at Hastings; and

WHEREAS, two large ravines within Dakota County's Spring Lake Park Reserve (SLPR) are actively eroding, which has resulted in sedimentation damages to public and private property, including natural resource features within SLPR and the Mississippi River; and

WHEREAS, the Clean Water Fund is a state grant program administered by Minnesota Board of Water and Soil Resources (BWSR) and is made available to local government units annually via a competitive grant application process; and

WHEREAS, staff developed preliminary project plans, estimated water quality benefits of the proposed projects, and cost estimates for a potential Clean Water Fund grant application to BWSR; and

WHEREAS, the proposed improvements to alleviate ravine erosion include tree removals, earthwork, riprap, storm sewer, and vegetation restoration; and

WHEREAS, staff has drafted a Clean Water Fund application to BWSR in the amount of \$452,250.00 for the purpose of implementing the ravine stabilization improvements; and

WHEREAS, the grant program requires a 25 percent match by Dakota County, in the amount of \$113,062.50; and

WHEREAS, the proposed projects are estimated to reduce total phosphorus and total suspended solids pollution to the Mississippi River by 105 pounds and 525 tons annually; and

WHEREAS, there are sufficient funds in the 2020 Parks Capital Improvement Program budget to provide sufficient matching funds for the grant.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes staff to submit a Clean Water Fund grant application to the Minnesota Board of Water and Soil Resources for the Spring Lake Park Reserve Ravine Stabilization Project in the amount of \$452,250.00 and, if awarded, authorizes the Physical Development Director to execute agreements with the Minnesota Board of Water and Soil Resources subject to approval of the grant agreements as to form by the County Attorney's Office.

Ayes: 7

Nays: 0

20-394

Authorization To Submit Application To Minnesota Department Of Natural Resources For Conservation Partners Legacy Grant For Restoration Of Areas Within Spring Lake Park Reserve

WHEREAS, the 2008 Minnesota Constitutional Legacy Amendment increased state sales tax and dedicated new revenue to natural resources, clean water, arts, cultural heritage, and parks and trails; and

WHEREAS, the Conservation Partners Legacy Grant Program was established to restore, enhance, or protect forests, wetlands, prairies, and habitat for fish, game, and wildlife; and

WHEREAS, the Minnesota Department of Natural Resources (DNR) manages this program to provide grants from \$5,000 to \$400,000; and

WHEREAS, in 2021, \$2,750,000 was dedicated to habitat projects located within the metro area; and

WHEREAS, a minimum 10 percent local match is required with any additional local match increasing the projects

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competitiveness; and

WHEREAS, the Conservation Partners Legacy Metro grant cycle is now open with submittals due by September 21, 2020; and

WHEREAS, the proposed grant project at Spring Lake Park Reserve (SLPR) is a high-priority and is supported by the approved Natural Resources System Plan, by the draft SLPR Natural Resources Management Plan, and by the draft SLPR Master Plan; and

WHEREAS, the project is also a highly visible site that can serve to educate park visitors; and

WHEREAS, staff has requested County Board consideration of this grant application:

- Project Title: Spring Lake Park Reserve Bluff Land Restoration Project
- Project Location: Spring Lake Park Reserve (Attachment A)
- Project Scope/Cost: This project will restore 26.5 acres of savanna, bluff prairie, and forested ravines in the Schaar's Bluff area of Spring Lake Park Reserve; the project will consist of removing invasive trees and shrubs that have taken over parts of this section of the park; staff will also be seeding parts of the project with native prairie/savanna seed and will be expanding two small remnant bluff prairies, a globally endangered plant community for a total project cost of \$110,000
- Grant Request/Local Match: The grant request is \$88,000 with a 25 percent local cash and in-kind match of \$22,000

; and

WHEREAS, subject to DNR award, the County Board at a future meeting will consider acceptance of the grant funds and amendment of the Parks Capital Improvement Program (CIP) Adopted Budget; and

WHEREAS, local cash match funds are available from the Parks CIP adopted budget within the grant match line item.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to submit a Conservation Partners Legacy Grant application for the 2021 program year for Spring Lake Park Reserve restoration on approximately 26.5 acres with a total project cost (grant plus local match) of \$110,000.

Ayes: 7

Nays: 0

20-395

Authorization To Execute Joint Powers Agreement With City Of Apple Valley For County Project 99-12, Cedar Avenue Pedestrian Bridge, In City Of Apple Valley

WHEREAS, to promote a safe and efficient transportation system throughout Dakota County, the County is the lead agency partnering with the City of Apple Valley (City) on County Project (CP) 99-12; and

WHEREAS, CP 99-12 will design and construct a pedestrian bridge over County State Aid Highway (CSAH) 23 at 140th Street in Apple Valley; and

WHEREAS, Dakota County is the lead agency for CP 99-12; and

WHEREAS, the City of Apple Valley is cooperating with the County on each stage of CP 99-12; and

WHEREAS, CP 99-12 will be shared 85 percent County funds and 15 percent City funds in accordance with adopted County Policy.

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 City of Apple Valley to identify costs and responsibilities for construction and operation of a pedestrian bridge, in accordance with County policy, for

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County Project 99-12, in the City of Apple Valley, subject to approval by the County Attorney's Office as to form.

Ayes: 7

Nays: 0

County Board/County Administration

20-396

Scheduling Of County Board Workshop For Discussion On CARES Act Funding Allocations

WHEREAS, a workshop will allow for review of CARES funds allocation decisions made to date, consider any necessary adjustments to reflect program demand, and to discuss potential strategies for allocation of remaining funds across various internal and external uses; and

WHEREAS, the workshop will be an opportunity for the County Board to discuss CARES funds allocations.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby schedules a County Board Workshop for September 1, 2020, following the General Government and Policy Committee, in the Boardroom, Administration Center, 1590 Highway 55, Hastings, MN, or via telephone or other electronic means if necessary due to the ongoing COVID-19 pandemic to receive comments and staff direction on CARES funds allocations.

Ayes: 7

Nays: 0

County Attorney

20-397

Authorization To Execute Amendment To CiberLaw Maintenance And Support Agreement With Ciber Global LLC

WHEREAS, by previous resolutions, the Dakota County Attorney's Office has contracted with CIBER, Inc. to provide support and maintenance services and make improvements to the CIBERLaw case management system used by staff in the county attorney's office; and

WHEREAS, CIBER, Inc. has been reorganized into Ciber Global LLC; and

WHEREAS, the case management system is critical to the successful operation of the Dakota County Attorney's Office; and

WHEREAS, the Dakota County Attorney's Office has found the CIBERLaw system to be of great benefit and wishes to continue using the CIBERLaw case management system for as many years as feasible; and

WHEREAS, the Dakota County Attorney's Office has negotiated with CIBER on the terms for a three-year extension of the support and maintenance agreement; and

WHEREAS, the three-year extension will commence on November 1, 2020 and continue through October 31, 2023 at a cost to Dakota County of \$147,840 annually (\$12,320 each month) fixed over the three-year term; and

WHEREAS, in 2015 the budget for these services was moved from the County Attorney's Office to the Information Technology Department; and

WHEREAS, the Information Technology Department operational budget for CIBERLaw support and maintenance services includes sufficient funds for this newly negotiated three-year extension.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Dakota County Attorney to execute a contract amendment with Ciber Global LLC for continued software support and maintenance of the CIBERLaw case management system for the three-year term from November 1, 2020 through October 31, 2023, at a cost not to exceed \$443,520 payable at a monthly rate of \$12,320, subject to approval as to form by the County Attorney's Office.

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Ayes: 7

Nays: 0

20-398

Authorization To Execute Joint Powers Agreement With Dakota County Drug Task Force To Provide Legal Services

WHEREAS, the Dakota County Drug Task Force (DCDTF) is established by a 2001 joint powers agreement entered into by the Cities of Apple Valley, Burnsville, Eagan, Farmington, Hastings, Inver Grove Heights, Lakeville, Mendota Heights, Rosemount, South St. Paul, West St. Paul, Savage and the County pursuant to Minn. Stat. §471.59; and

WHEREAS, the County Attorney's Office (CAO) provides legal services as requested by DCDTF; and

WHEREAS, the CAO and DCDTF desire to formalize this relationship with a Legal Services Agreement; and

WHEREAS, a Legal Service Agreement functions as a joint powers agreement pursuant to Minn. Stat. §471.59 between the County and DCDTF for the provision of legal services by the County Attorney, and

WHEREAS, the Legal Service Agreement will be in effective upon execution thru December 31, 2022; and

WHEREAS, in each calendar year of the Agreement the DCDTF will be invoiced for services invoiced in excess of the initial 60 hours of services provided by the CAO and the total annual amount invoiced will not exceed \$10,000 regardless of the number of hours invoiced by the Dakota County Attorney's Office; and

WHEREAS, the DCDTF will pay for legal services in 2020 at an hourly rate of \$197.75 for attorney time and \$45.00 for paralegal time; in 2021, at an hourly rate of \$204.00 for attorney time and \$46.00 for paralegal time; and in 2022, at an hourly rate of \$210.00 for attorney time and \$47.00 for paralegal time.

WHEREAS, DCDTF will be invoiced for services in excess of the initial 60 hours of services provided by the CAO and the total annual amount invoiced will not exceed \$10,000 regardless of the number of hours invoiced by the COA.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes its Chair to execute a legal services agreement with DCDTF, subject to approval of the County Attorney's Office as to form, through December 31, 2022 for provision of legal services to DCDTF including the following terms:

1. DCDTF will be invoiced for services in excess of the initial 60 hours of services provided by the County Attorney's Office;
2. the reimbursement rate for legal services will be at an hourly rate of \$197.75 for attorney time and \$45.00 for paralegal time in 2020; at an hourly rate of \$204.00 for attorney time and \$46.00 for paralegal time in 2021; and at an hourly rate of \$210.00 for attorney time and \$47.00 for paralegal time in 2022; and
3. the total annual amount invoiced will not exceed \$10,000 regardless of the number of hours invoiced by the COA.

Ayes: 7

Nays: 0

Physical Development

20-399

Approval Of Right Of Way Acquisition And Relocation Assistance And Authorization To Initiate Quick Take Condemnation For County Projects 26-54 And 63-27 In City Of Inver Grove Heights And City Of Eagan

WHEREAS, Dakota County (County) is proposing County Project 26-54 and County Project 63-27 in the City of Inver Grove Heights and City of Eagan (Cities); and

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WHEREAS, to provide a safe and efficient transportation system, the County and the Cities are proceeding with County Project 26-54 and County Project 63-27; and

WHEREAS, County Project 26-54 will expand approximately two miles of County State Aid Highway (CSAH) 26 (Lone Oak Road in Eagan, 70th Street in Inver Grove Heights) from Trunk Highway (TH) 55 to TH 3 from an existing two-lane roadway rural section to a four-lane divided urban roadway; and

WHEREAS, County Project 63-27 will construct on a new alignment CSAH 63 (Argenta Trail) from CSAH 28 (Amana Trail) north to 65th Street and from 65th Street to old Argenta Trail (CSAH 63) to the north of CSAH 26; and

WHEREAS, the purpose and need for the project is to improve safety, multi-modal mobility, and traffic operations on CSAH 26 and CSAH 63 and provide additional capacity on CSAH 26; and

WHEREAS, to address the purpose and need for this Project, safety will be improved along the corridor by managing the number of conflict points (access management), adding turn lanes, realigning intersections to improve spacing, providing paved shoulders, and adding multi-use trails to both sides of the road; and

WHEREAS, Dakota County is the lead agency for County Project 26-54 and County Project 63-27 with right of way acquisition necessary in 2020 for construction to begin in 2021; and

WHEREAS, the County utilized public engagement for this project, including a public open house on December 18, 2019, at the Veterans Memorial Community Center in Inver Grove Heights and a presentation at the Inver Grove Heights City Council meeting on May 26, 2020; and

WHEREAS, the County undertook an environmental review process to determine if County Projects 26-54 and 63-27 have the potential for significant environmental effects and prepared an Environmental Assessment Worksheet for the project, pursuant to Minn. Stat. Ch. 116D with a 30-day comment period that ended on June 03, 2020; and

WHEREAS, a virtual open house meeting was held May 14 to May 21, 2020, where the public could learn more about the environmental review of the project and preliminary construction phasing and send the project team questions and comments; and

WHEREAS, the 2020 Transportation Capital Improvement Program Adopted Budget for CP 26-54 includes \$11,846,974 and for County Project 63-27 includes \$8,180,700 for a current total budget of \$20,027,674, carried over from previous years; and

WHEREAS, the acquisition of right of way is needed to move forward with County Project 26-54 and County Project 63-27 for the construction to begin in 2021 as scheduled; and

WHEREAS, the County Board by Resolution No. 20-330 (July 14, 2020), authorized the total acquisition of the following parcels as identified in Dakota County Road Right of Way Map No. 471 with applicable relocations as necessary:

<u>Parcel</u>	<u>PID</u>	<u>Owner</u>	<u>Site Address</u>
18	20-27700-00-120	Joseph J. Vogel & Colleen A. Vogel	6963 Arkansas Ave W
20	20-27700-00-110	William John Carlson, and Jennifer Elizabeth Poyorena, Trustees, or Successors In Trust	1629 70th St W
22	20-00600-55-050	Pamela K. Brust	6970 Argenta Trl W
28	20-00700-01-010	Timothy M. and Suzanne C. Grundhoffer (Owners), Joe Heiden (Tenant)	1090 70th St W
29	20-00700-01-040	Timothy B. McInerny, Todd J. McInerny, Thomas McInerny, Michael P. McInerny (Owners), Tenants	1120 70th St W

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35 20-00700-05-016 Lawrence J. Flannery & Linda Flannery 1466 70th St W
 40 20-14170-00-030 Peterandrea Investments, LLC Outlot C Blackstone Vista
 41 20-00700-26-011 Bruce Frank Huysentruit 1700 70th St W

; and

WHEREAS, the County Board by Resolution No. 20-330 (July 14, 2020), authorized the partial acquisition of the following parcels as identified in Dakota County Road Right of Way Map No. 471 with applicable relocations as necessary:

Parcel	PID	Owner	New Highway Right Of Way (Sq. Ft.)	Temporary Easement (Sq. Ft.)	Drainage And Utility Easement (Sq. Ft.)	Building Removal Easement (Sq. Ft.)
21	20-27700-00-100	Chad T. & Holly A. Sandell and Thomas R. & Roxanne M. Biesterfeld	14,288	23,990	4,970	
31	20-00700-03-010	CC Hollywood Properties LLC (Owner), Jasmine Rohange (Tenant), Michael Jenke (Tenant)	5,152	30,877		15,028
32 & 33	20-00700-04-010 & 20-00700-05-012	James E. Peltier (Owner), Mark Richsmann (Tenant), Brian Leonida (Tenant)	15,368 (Parcel 32), 10,332 (Parcel 33)	33,445 (Parcel 32), 6,150 (Parcel 33)		
49	10-01200-02-040	George Joseph Mikutowski	5,586	1,995		

; and

WHEREAS, the acquisition of the following 33 parcels (Phase 2) as identified in Dakota County Road Right of Way Map No. 471 by the County is necessary to move forward with the Project:

Parcel	PID	Owner	New Highway Right Of Way (Sq. Ft.)	Temporary Easement (Sq. Ft.)	Drainage And Utility Easement (Sq. Ft.)	Wall, Drainage, And Utility Easement (Sq. Ft.)	Highway Easement To Fee Ownership (Sq. Ft.)
2	10-00100-55-020	Katie King Flood Thomas E. & Joseph P. Flood	101	318			

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5	10-14580-01-010	B9 Polar Waters Llc	283	6,371	5,367		
6	10-14581-01-010	B9 Polar Waters Llc	218	13,194	9,710		
7	10-14581-01-020	B9 Polar Waters Llc	2,566	27,732	1,812	4,485	
8	10-18501-01-021	Ecolab Usa Inc.		53,480	31,761		
9	10-14750-02-020	Eagan Heights Llc		24,852			
10	10-14750-02-010	Eagan Heights Llc	931	13,635			
11	10-14750-01-010	Wpt Boulder Lakes Iii Llc		4,768			
13	CIC 634	Blackstone Ponds Homeowners Association		10,171			

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14	CIC 634	Blackstone Ponds Homeowners Association		8,789			
15	CIC 634	Blackstone Ponds Homeowners Association		5,255		824	
17	20-27700-00-160	Edward T. Joseph & Jill A. Joseph	8,323	12,855			
19	20-27700-00-111	John R. Neshiem	3,945	3,123			
30	20-65850-01-010	Brett B. & Barbara A. Troyer, Trustees Of The Trust Agreement Of Brett And Barbara Troyer	4,472	26,520			
45	20-00700-28-015	George T. Death And Jacqueline S. Death, Trustees Of The Jacqueline Suzanne Death Revocable Living Trust		16,190			
46	20-00700-28-016	Elroy S. Brandvold		6,975			

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47	20-00700-28-017	Robert J. Steininger		11,096			
50	10-01200-02-030	Wilfred Edward & Karla A. Abbott	4,465	1,929			
51	10-01200-02-020	John W. Cina	3,036	2,890			
52	10-01200-02-010	Jeremy J. Illg	8,400	7,661			
53	10-03800-02-050	Ronald & Kathryn Hagen Shannon Hagen	11,053	8,188			
58	10-03800-01-011	Gary K. & Gregg M. Rosenberger	13,608	13,559			
59	10-53790-03-010	Rater Holdings Llc	424	99			
60	10-01200-25-040	Joseph Steininger	15,134	12,435			

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62	10-01200-25-030	Joseph Steininger	18,311	40,357			
65	10-53791-01-010	Jai Shriram Inc.		12,813			
66	10-53790-01-030	Jai Shriram Inc.		6,029			
67	20-00600-52-011	Ace In The Hole Limited Partnership, John N. Simons, Lyndian Territories, L.P.	39,346	54,218			
68	20-00600-52-015	Ace In The Hole Limited Partnership, John N. Simons, Lyndian Territories, L.P.	154,745	39,657	4,411		
69	20-00600-05-010	Ace In The Hole Limited Partnership, John N. Simons, Lyndian Territories, L.P.		23,984			
70	20-00600-25-012	Anthony W. Abbott, Jessee A. Abbott, Anthony G. & Jeanne M. Abbott	11,484	4,170			
71	20-00600-30-010	Cole Enterprises, Inc.	58,985	58,071	52,378		

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72	20-00600-30-020	Wesley & Diana Wille	10,220	9,190			
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; and

WHEREAS, the property owners and tenants are entitled to relocation assistance, and the County is required to provide a written offer for relocation expenses that includes moving expenses and other benefits as required by law; and

WHEREAS, the 13 parcels identified in Dakota County Road Right of Way Map No. 471 have been appraised in 12 acquisition appraisals, and offers were prepared for a total appraised value including the two minimum compensation increases to Phase 1 acquisitions for a total offer amount of \$3,801,550 including minimum compensation; and

WHEREAS, the 33 parcels identified in Dakota County Road Right of Way Map No. 471 have been appraised in 29 acquisition appraisals, and offers are being prepared for a total appraised value of \$2,014,275; and

WHEREAS, the acquisition of 60 parcels as identified in Dakota County Road Right of Way Map No. 471 by the County is required to move forward with the Project for a total estimated cost of \$8,441,750; and

WHEREAS, in the event that timely acquisition by direct negotiation of all required parcels does not appear possible, it is necessary for the County Board to authorize the County Attorney's Office to initiate quick take condemnation of the remaining parcels to allow for a late fall 2021 start date.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the appraised values prepared by Patchin Messner Valuation Counselors for the acquisition of the right of way for County Project 26-54 and County Project 63-27 and authorizes County staff, in its discretion, to share the appraisal data with the respective landowners, including all or portions of the completed appraisals as part of the negotiation process; and

BE IF FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby approves the acquisition of right of way for County Project 26-54 and County Project 63-27, at the approved appraised values or the minimum compensation estimate, whichever is higher, and in accordance with County policy, plus relocation costs as required by law, and authorizes payment from the adopted 2020 Transportation Capital Improvement Program budget; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the County Attorney's Office to initiate quick take condemnation of the remaining parcels to allow a fall 2021 start date, in the event that timely acquisition by direct negotiations of all parcels does not appear possible.

Ayes: 7

Nays: 0

20-400

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

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plats.

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

INTERSTATE SOUTH LOGISTICS PARK THIRD ADDITION
MORE SPACE SELF STORAGE

Lakeville
West St. Paul

Ayes: 7

Nays: 0

20-401

Award Of Bid And Authorization To Execute Contract With Applied Ecological Services, Inc. For Seeding And Vegetation Management Of Braun Farms Wetland Banking Project

WHEREAS, wetland banking provides a mechanism for mitigating unavoidable impacts to a wetland; and

WHEREAS, if a project adversely impacts wetlands, restored wetland acres within a perpetual conservation easement can be used to offset project impacts and meet State and Federal regulatory requirements; and

WHEREAS, by Resolution No. 15-507 (October 6, 2015), the County Board adopted Dakota County Policy 8253 which established the goal of restoring wetlands within Dakota County for County-sponsored projects that require wetland mitigation to realize environmental benefits locally, rather than restoring wetlands elsewhere in Minnesota; and

WHEREAS, by Resolution No. 17-557 (October 31, 2017), the County Board authorized the execution of a joint powers agreement with the Minnesota Board of Water and Soil Resources (BWSR) to develop a wetland bank conservation easement on Craig and Theodora Braun's property in Castle Rock Township; and

WHEREAS, by Resolution No. 19-854 (November 26, 2019), the County Board authorized execution of agreements with Craig and Theodora Braun and EB Land Holdings LLC for State Wetland Bank Conservation Easement payments for 120.6 acres to facilitate the project; and

WHEREAS, by Resolution 18-195 (March 27, 2018), the County Board authorized execution of a joint powers agreement with the Vermillion River Watershed Joint Powers Organization (VRWJPO) to provide \$500,000 to the County toward the project; and

WHEREAS, the total wetland mitigation credits obtained will be based on performance standards, overall characteristics of the restored wetland, and agreements between the County, BWSR, and VRWJPO; and

WHEREAS, staff estimates between 62 and 104 acres of wetland mitigation credits will be created; and

WHEREAS, overall, this equates to an estimated cost of \$15,908 to \$26,685 per acre of wetland mitigation credit; and

WHEREAS, the current average cost to purchase wetland mitigation credits in the region is approximately \$56,403 per acre; and

WHEREAS, staff solicited bids on July 13, 2020, for seeding and vegetation management work, and four bids were received on August 4, 2020; and

WHEREAS, Applied Ecological Services, Inc., submitted the lowest responsive and responsible bid in the amount of \$164,868.60; and

WHEREAS, staff recommends execution of a contract with Applied Ecological Services, Inc. for seeding and vegetation management for the Braun Farms Wetland Banking Project.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute a contract for the seeding and vegetation management of the Braun

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Farms Wetland Banking Project with Applied Ecological Services, Inc., not to exceed \$164,868.60, subject to approval by the County Attorney's Office as to form.

Ayes: 7

Nays: 0

20-402

Authorization To Execute Third Amendment To Contract With Voith Hydro, Inc., For Design And Fabrication Of Water-To-Wire Equipment For Byllesby Dam Turbine Upgrade 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, over the past decade, the Dakota County Board of Commissioners has approved significant capital investments to the project for FERC-required dam safety improvements; 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 installation of the equipment and modification to the powerhouse structure; and

WHEREAS, by Resolution No. 18-111 (February 13, 2018), County staff developed prequalification requirements for turbine manufacturers through a request for qualifications, in which Voith Hydro, Inc., was selected utilizing the Best Value Contracting process authorized by state statute in the amount of \$4,220,436.00; and

WHEREAS, Voith's first contract amendment was addressed administratively in fall 2019 for small changes to their design and modifications during fabrication in the amount of \$76,793.74 bringing the total contract amount to \$4,297,229.74; and

WHEREAS, by Resolution No. 20-072 (February 4, 2020), the County Board authorized a second contract amendment for changes in the electric equipment to address powering Byllesby Regional Park and modifications in the penstocks to make construction more cost-effective; and

WHEREAS, the costs associated with this third amendment are for customs and duties for shipping the equipment from overseas to Dakota County.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute a contract amendment with Voith Hydro, Inc., in the amount of \$123,695.20 bringing the total contract amount not to exceed \$4,489,765.94, subject to approval by the County Attorney's Office as to form.

Ayes: 7

Nays: 0

20-403

Authorization To Execute Contract With Terra Construction For Judicial Center Weatherproofing Vestibule Addition And Amendment Of 2020 Buildings Capital Improvement Program Budget

WHEREAS, the Judicial Building Weatherproof Vestibule Addition is included in the approved 2020–2024 Building Capital Improvement Program (CIP) Adopted Budget; and

WHEREAS, by Resolution No. 20-244 (May 12, 2020), the Dakota County Board of Commissioners adopted the

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project Schematic Design and budget amendment; and

WHEREAS, bid documents and specifications were prepared by Wold Architects and Capital Projects Management staff; and

WHEREAS, ten competitive bids were received on July 30, 2020; and

WHEREAS, Terra Construction has submitted the low bid of \$341,000; and

WHEREAS, staff has reviewed the qualifications of the bidder and recommends award to Terra Construction as the lowest responsive and responsible bidder in an amount not to exceed \$341,000 for Judicial Center Vestibule Addition at the Judicial Center; and

WHEREAS, the current project total budget is \$330,000; and

WHEREAS, the project as bid has a total project cost of \$420,000; and

WHEREAS, the difference of \$90,000 is proposed to be funded from the ADA project in the 2020 CIP.

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 for the Judicial Center Vestibule Addition project to Terra Construction, 21025 Commerce Blvd, Suite 100 Rogers, MN 55374, in an amount not to exceed \$341,000 subject to approval by the County Attorney's office as to form; and

FURTHER BE IT RESOLVED, That the Dakota County Board of Commissioners hereby amends the 2020 Building Capital Improvement Program Adopted Budget as follows:

Expense	
ADA Project (B70078)	(\$90,000)
Judicial Center Weatherproof Waiting Area Project (B10066)	<u>\$90,000</u>
Total Expense	\$0

Ayes: 7

Nays: 0

20-404

Authorization Of Lake Byllesby Regional Park Master Plan Improvements: Cannon River Access Project Bidding

WHEREAS, the Lake Byllesby Regional Park Master Plan Improvements Project (Project) was approved in the 2019–2023 Parks Capital Improvement Program (CIP) Adopted Budget; and

WHEREAS, by Resolution No. 18-056 (January 23, 2018), the County Board approved the update Lake Byllesby Regional Park Master Plan including the project's tier-one priorities; and

WHEREAS, by Resolution No. 18-633 (December 12, 2018), the County Board approved the Project schematic design; and

WHEREAS, the Total Construction work was broken into the following projects:

- Project #1: Cannon River Access, Campground expansion, Echo Point, Beach Plaza/Splash Pad, and the West Park Trailhead
- Project #2: Beach Nature Play Area
- Project #3: Playground Replacement
- Project #4: Interpretation Elements

; and

WHEREAS, to provide flexibility with the award and keep within the approved budget for the project, Project #1 included three bid alternates: Cannon River Access, 11 traditional campsites, and select plantings; and

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WHEREAS, the project was competitively advertised, and bids were received on July 11, 2019; and

WHEREAS, the Base Bid plus Alternates combination bid meeting, the construction budget was \$3,313,824. including Alternate items for 11 additional campsites and select plantings, and a construction contract for the project was approved by Resolution No. 19-650 (August 6, 2019), excluding the Cannon River Access; and

WHEREAS, staff presented the bid results at the General Government and Policy meeting on July 23, 2019, and discussed future strategies to include the Cannon River access project; and

WHEREAS, direction was received to proceed with project redesign/value engineering and identification of potential funding sources; and

WHEREAS, to date, the larger project is on schedule to be completed later this summer on budget, and staff has value-engineered/redesigned the River Access feature and believe its cost has come down from the original \$700,000 to under \$500,000; and

WHEREAS, recent bidding experience on County projects has shown construction costs to be very competitive, and if the project is bid this fall, the County may be able to leverage the current positive bidding climate and yield savings; and

WHEREAS, the Cannon River Access project will be completed in the spring of 2021 and will be open for public use in summer of 2021; and

WHEREAS, staff recommends that the County Board authorizes staff to solicit bids for the Lake Byllesby Regional Park Master Plan Improvements: Cannon River Access Project.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes staff to solicit bids for the Lake Byllesby Regional Park Master Plan Improvements: Cannon River Access Project and return at a future County Board meeting for approval of the bids received and Capital Improvement Program budget amendment.

Ayes: 7

Nays: 0

20-405

Authorization To Execute Joint Powers Agreements With Cities Of Burnsville, Inver Grove Heights, Rosemount, South St. Paul, And Dakota County Community Development Agency For 2020 Landfill Host Community Environmental Legacy Fund Grants

WHEREAS, by Resolution No. 20-061, (January 21, 2020), the Dakota County Board of Commissioners authorized the 2020 Landfill Host Community Environmental Legacy Fund Grant Pilot Program to distribute up to three million dollars of funding to cities that host or are located in proximity to a landfill, including the Cities of Burnsville, Coates, Inver Grove Heights, Rosemount, and/or South St. Paul; and

WHEREAS, the Cities of Burnsville, Coates, Inver Grove Heights, Rosemount, and South St. Paul were invited to submit grant applications; and

WHEREAS, by Resolution No. 20-161 (March 24, 2020), the Dakota County Board of Commissioners extended the deadline for Cities to submit their applications from April 1, 2020, to May 27, 2020, due to the COVID-19 pandemic outbreak; and

WHEREAS, by Resolution No. 20-306 (June 30, 2020), the Dakota County Board of Commissioners determined project and funding recommendations and directed staff to work with Cities and the Dakota County Community Development Agency, as necessary, to prepare joint powers agreements for final award of grants; and

WHEREAS, joint powers agreements include terms and conditions including, but not limited to, a project plan and objectives, schedule, budget, goals, and success measures, consistent with the submitted application; and

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WHEREAS, the Cities of Burnsville, Inver Grove Heights, Rosemount, and South St. Paul must publicly acknowledge, with signage where applicable, that Dakota County's Environmental Legacy Fund is making the projects possible.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby recommends authorization and execution of joint powers agreements with the Cities of Burnsville, Inver Grove Heights, Rosemount, South St. Paul, and the Dakota County Community Development Agency for 2020 Landfill Host Community Environmental Legacy Fund Grants, containing specified terms and conditions, in the amounts, indicated:

<u>Project</u>	<u>Applicant</u>	<u>Grant Amount</u>
Economic Development Activity	City of Burnsville	\$1,100,000
Heritage Village Park Redevelopment	City of Inver Grove Heights	\$900,000 (retroactive to January 1, 2018)
Downtown Planned Unit Development (PUD)	City of Rosemount	\$500,000 (retroactive to May 1, 2020)
Hardman Triangle Redevelopment Plan	City of South St. Paul	\$500,000

Ayes: 7

Nays: 0

20-406

Scheduling Of Public Hearing To Receive Comments On Proposed Establishment Of Dakota County Community Development Agency Tax Increment Financing District No. 3-16 (A Housing District) And Adopt Tax Increment Financing Plan

WHEREAS, the Dakota County Community Development Agency (CDA) has requested that Dakota County schedule a public hearing to consider the approval of the Tax Increment Financing (TIF) Plan for its TIF District No. 3-16 (Eagan Workforce Housing Project) pursuant to and in conformity with Minn. Stat. § 469.174 through 469.1794; and

WHEREAS, the scheduling of the public hearing and publication notice thereof is consistent with the legal authority and public purposes of Dakota County.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby schedules a public hearing for November 3, 2020, at 9:00 a.m. in the Boardroom, Administration Center, 1590 Highway 55, Hastings, Minnesota, or via telephone or other electronic means if necessary due to the ongoing COVID-19 pandemic for the purpose of receiving comments on the proposed establishment of Tax Increment Financing District No. 3-16 (a housing district) and the proposed adoption of a Tax Increment Financing Plan, therefore, pursuant to and in accordance with all applicable Minnesota Statutes, in an effort to provide affordable housing in Dakota County; and

BE IT FURTHER RESOLVED, That Dakota County staff are hereby authorized and directed to work with the Dakota County Community Development Agency staff, Northland Securities, Inc., and any other consultants approved by the Dakota County Manager and the Dakota County Community Development Agency Executive Director to prepare the Tax Increment Financing Plan for Tax Increment Financing District No. 3-16 and to forward documents to the appropriate taxing jurisdictions, including Dakota County and Independent School District No. 191; and

BE IT FURTHER RESOLVED, That Dakota County staff are hereby authorized and directed to publish notice of said hearing including a map of the area of Tax Increment Financing District No. 3-16 from which tax increment will be collected in a newspaper of general circulation in the County at least once not less than ten (10) days nor more than thirty (30) days prior to the date of the hearing and to place a copy of Plan on file in the Community Development Agency office at 1228 Town Centre Drive, Eagan, Minnesota, and to make such copy available for inspection by the public

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Ayes: 7

Nays: 0

20-407

Rescission Of Resolution No. 20-371 And Authorization Of Award Of Bid And Execution Of Contract With Pember Companies For Cedar Nicols Trailhead Project

WHEREAS, on August 4, 2020, Resolution No. 20-371 authorized executing a contract with the low bidder, Pember Companies, for construction of the Cedar Nicols Trailhead Project; and

WHEREAS, as required by the Federal Highway Administration (FHWA), award of the project cannot take place prior to federal Office of Civil Rights (OCR) clearance of Disadvantaged Business Enterprise (DBE) clearance; and

WHEREAS, although the County anticipated OCR clearance prior to August 4, 2020, OCR clearance was not received until August 7, 2020; and

WHEREAS, to secure the \$600,000 in FHWA funding for the project, the County is required by law to authorize award of bid and execution of a contract after the OCR clearance for the project; and

WHEREAS, staff recommends rescinding Resolution No. 20-371 (August 4, 2020), that authorized award of bid and execution of a contract for the project; and

WHEREAS, staff also recommends award of bid to and execution of a contract with Pember Companies for the Cedar Nichols Trailhead Project; and

WHEREAS, staff also recommend that the County Board of Commissioners authorize the Parks, Facilities, and Fleet Director to execute a contract with Pember Companies Inc. for the Cedar Nicols Trailhead Project in an amount not to exceed \$549,840.05.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby rescinds Resolution No. 20-371 (August 4, 2020); and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Parks, Facilities, and Fleet Director to execute a contract with Pember Companies Inc., N4449 469th St, Menomonie, WI 54751 for the Cedar Nicols Trailhead Project, in an amount not to exceed \$549,840.05, subject to approval by the County Attorney's Office as to form.

Ayes: 6

Nays: 1 Mary Liz Holberg

Public Safety

20-408

Authorization To Execute An Agreement Between Young Men's Christian Association Of Greater Twin Cities And Dakota County Sheriff's Office To Provide A Full-Time Deputy For Racial Equity And Inclusion Training

WHEREAS, Young Men's Christian Association (YMCA) of Greater Twin Cities has requested being able to utilize one of our licensed deputies to facilitate racial equity and inclusion training to local law enforcement on a full-time basis, and the Sheriff desires to provide that service; and

WHEREAS, the Sheriff's Office is requesting approval of a 1.0 full-time equivalent General Duty Deputy to fill the assignment; and

WHEREAS, YMCA of Greater Twin Cities will reimburse the Sheriff's Office \$9,167 per month to cover the cost of salary and benefits for that deputy; and

WHEREAS, the Sheriff's Office budget will be amended to reflect the supporting revenue for this position.

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NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Dakota County Sheriff to execute an agreement with Young Men's Christian Association (YMCA) of Greater Twin Cities and add a 1.0 full-time equivalent General Duty Deputy position; and

BE IT FURTHER RESOLVED, to amend the Sheriff's Office 2020 budget to provide a deputy to facilitate racial equity and inclusion training to local law enforcement to be reimbursed by the YMCA for salary and benefits in the amount of \$9,167 per month through December 31, 2020, 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 an amendment to the 2020 Sheriff's budget as follows:

Expense	
Salaries/Benefits	<u>\$45,835</u>
Total Expense	\$45,835
Revenue	
YMCA Reimbursement	<u>\$45,835</u>
Total Revenue	\$45,835

Ayes: 7

Nays: 0

REGULAR AGENDA

County Board/County Administration

Update On Monitoring And Responses To 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

20-409

Authorization To Accept Drainage And Utility Easement From Thomas And Mary Margaret Beckman For Lebanon Hills Chain Of Lakes Water Quality Improvement Project

Stormwater Environmental Specialist Michael Behan briefed this item and responded to questions.

Motion: Joe Atkins

Second: Chris Gerlach

WHEREAS, as a component of the Lebanon Hills Chain of Lakes Water Quality Improvement Project, staff have proposed acquisition of a permanent drainage and utility easement across private property at 4675 120th Street West within the City of Apple Valley; and

WHEREAS, the purpose of the proposed easement is to provide Dakota County with maintenance access for the proposed iron-sand filter project located within the adjacent park property; and

WHEREAS, the proposed easement will provide Dakota County with necessary access for annual minor maintenance and future major maintenance of the proposed water quality improvement project; and

WHEREAS, minor maintenance consists of annual servicing of the water quality treatment structure with a vacuum truck; and

WHEREAS, future major maintenance consists of filter media replacement on a schedule based on effectiveness monitoring results (approximately once every 10-20 years); and

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WHEREAS, staff recommends acceptance of the proposed drainage and utility easement legally described as:

A 15.00-foot-wide permanent easement for access purposes over and across part of Lot 6, Block 1, Beckman's First Addition, according to the recorded plat thereof, Dakota County, Minnesota, the centerline of said easement is described as follows:

Commencing at the northwest corner of said Lot 6, thence North 89 degrees 38 minutes 21 seconds East, assumed bearing, along the north line of said Lot 6 a distance of 75.81 feet to the point of beginning of the centerline to be described; thence South 16 degrees 02 minutes 31 seconds West a distance of 26.11 feet; thence southwesterly a distance of 105.91 feet along a non-tangential curve concave to the southeast having a radius of 136.02 feet and a central angle of 44 degrees 36 minutes 46 seconds, the chord of said curve bears South 49 degrees 47 minutes 41 seconds West to a south line of said Lot 6 and said centerline there terminating.

; and

WHEREAS, the property owners are willing project partners and are supportive of the County's efforts to improve water quality within the Lebanon Hills chain of lakes and have proposed to convey the drainage and utility easement to THE County at no cost.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the acceptance of a drainage and utility easement on the property legally described above from Thomas and Mary Margaret Beckman (TSTE) to the County of Dakota for the purpose of maintaining the Lebanon Hills Chain of Lakes Water Quality Improvement Project.

Ayes: 7

Nays: 0

20-410

Award Of Bid And Authorization To Execute Contract With St. Paul Utilities And Excavating, Inc. For Construction Of Lebanon Hills Chain Of Lakes Water Quality Improvement Project

Stormwater Environmental Specialist Michael Behan briefed this item and responded to questions.

Motion: Thomas A. Egan

Second: Joe Atkins

WHEREAS, Lebanon Hills is a premier water-based recreation destination within Dakota County; and

WHEREAS, several lakes within Lebanon Hills have experienced declining water clarity and increased algae blooms since the late 1990s; and

WHEREAS, the Clean Water Fund is a state grant program administered by the Minnesota Board of Water and Soil Resources and is made available to local surface-water planning agencies annually via a competitive grant application process; and

WHEREAS, staff drafted a Clean Water Fund application in the amount of \$267,000 to implement the two most cost-effective projects identified in the 2018 Subwatershed Assessment Report; and

WHEREAS, the County Board of Commissioners authorized acceptance of the grant on February 26, 2019; and

WHEREAS, the proposed improvements include two iron-sand filtration systems to filter surface water runoff, achieving the remaining 30 percent of the Schulze Lake water quality goal and 100 percent of the Jensen Lake goal; and

WHEREAS, final plans and specifications have been prepared for the improvements and the engineer's estimate is \$392,000; and

WHEREAS, staff solicited bids for the improvement project on July 8, 2020 and bids were received on August 4, 2020; and

WHEREAS, 13 responsive and responsible bids were received; and

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WHEREAS, the lowest responsive and responsible bid was submitted by St. Paul Utilities and Excavating, Inc., in the amount of \$334,233.55 and

WHEREAS, staff recommends award of bid and execution of contract with St. Paul Utilities and Excavating, Inc., in the amount of \$334,233.55 for the proposed improvement project.

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 St. Paul Utilities and Excavating, Inc., for the Lebanon Hills Regional Park Chain of Lakes Water Quality Improvement Project, subject to the County Attorney's Office as to form.

Ayes: 7

Nays: 0

Closed Executive Session

Closed Executive Session: Request For Mediation Authority For Appeal Of Condemnation Commissioner Award For Parcel 31 In City Of Lakeville For County Project 50-23

This item did not go into closed session. The Board gave staff direction to proceed with settlement authority as recommended.

Interagency Announcements/Reports

Interagency announcements and reports were then presented.

County Manager's Report

County Manager Matt Smith gave a brief update on the following:

- Bond Rating for the County
- Primary Election Update
- Congratulations on Retirement of Sr. Communications Specialist Mary Dalaska

Information

See Attachment A - Future Board Meetings And Other Board Activities

20-411

Adjournment

Motion: Liz Workman

Second: Thomas A. Egan

On a motion by Commissioner Liz Workman, seconded by Commissioner Thomas A. Egan, the meeting was adjourned at 10:08 a.m.

Mike Slavik
Chair

ATTEST

Matt Smith
County Manager