

March 9, 2021

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

Call To Order And Roll Call

Commissioner Mike Slavik
Commissioner Kathleen A. Gaylord
Commissioner Laurie Halverson
Commissioner Joe Atkins
Commissioner Liz Workman
Commissioner Mary Liz Holberg
Commissioner Mary Hamann-Roland

Also in attendance were: Matt Smith, County Manager; 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 in a hybrid manner, via both virtual and in-person. 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 Mary Liz Holberg who welcomed everyone and opened the meeting with the Pledge of Allegiance.

Audience

Chair Holberg noted that all public comments can be sent to CountyAdmin@co.dakota.mn.us
Written comments were received for Regular Item 12.1. No additional comments were received for this agenda.

21-112

Approval Of Agenda (Additions/Corrections/Deletions)

Motion: Kathleen A. Gaylord

Second: Mike Slavik

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

CONSENT AGENDA

Motion: Mary Hamann-Roland

Second: Mike Slavik

On a motion by Commissioner Mary Hamann-Roland, seconded by Commissioner Mike Slavik, the consent agenda was unanimously approved as follows:

21-113

Approval Of Minutes Of Meeting Held On February 16, 2021

County Board/County Administration

2020 Gift Acceptance Report

This item was on the agenda for informational purposes only.

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21-114

Appointment To Planning Commission

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby appoints the following individual to the Planning Commission for a one-year term ending January 4, 2022:

District	Name
1	Dennis Peine

Community Services

21-115

Authorization To Accept Grant Funds From Minnesota Department Of Health For COVID-19 Vaccination Implementation, Execute Related Contracts And/Or Amendments, Amend 2021 Public Health Adopted Budget

WHEREAS, there is a global coronavirus (COVID-19) pandemic; and

WHEREAS, the President of the United States has declared a National Emergency; and

WHEREAS, the Governor of the State of Minnesota as declared a Peacetime Emergency; and

WHEREAS, by Resolution No. 20-139 (March 20, 2020), the Dakota County Board of Commissioners approved the continuation of the declared local state of emergency as required by Minn. Stat. § 12.29 regarding coronavirus (COVID-19); and

WHEREAS, the Dakota County Board of Commissioners acts as the Community Health Board and has responsibility to prevent disease and disability and to promote and protect the health and safety of County residents; and

WHEREAS, in February 2021, The State of Minnesota by and through the Minnesota Department of Health (MDH) approved funding for vaccination implementation for COVID-19, allocating a total of \$6,900,000 to community health boards and tribal government; and

WHEREAS, on February 5, 2021, MDH provided Dakota County with its COVID-19 response Grant Award in the amount of \$358,714.00 for the period of February 1, 2021 through June 30, 2021, attaching these funds to Dakota County's Local Public Health Grant; however, these funds must be accounted for and managed as a separate funding source; and

WHEREAS, Dakota County Public Health plans to use the funds for its COVID-19 Vaccination Implementation costs and expenses, and

WHEREAS, MDH is unsure if any future additional COVID-19 funds will be made available or what mechanism will be used to distribute future COVID-19 funds; and

WHEREAS, staff recommends that the Dakota County Board of Commissioners authorizes the Community Services Director to accept the \$358,714 MDH COVID-19 vaccination implementation grant funds, effective February 1, 2021 through June 30, 2021; and

WHEREAS, staff recommends that the Dakota County Board of Commissioners authorizes the Community Services Director to authorize any contracts that result from the need to provide services in relation to the COVID-19 vaccination implementation response; and

WHEREAS, staff recommends and amendment to the 2021 Public Health Adopted budget by \$358,714 to reflect the revenues and expenses associated with the COVID-19 vaccination implementation grant.

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NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to accept the \$358,714 MDH COVID-19 vaccination implementation grant funds, effective February 1, 2021 through June 30, 2021; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to execute contracts and/or amendments that result from the need to provide services in relation to the COVID-19 vaccination implementation response; and

BE IT FURTHER RESOLVED, That unless the grant program requirements change, the Community Services Division Director is hereby authorized to amend the grant to alter the grant term, and accept additional grant funds 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 2021 Public Health Adopted Budget is hereby amended as follows:

Expense	
Program Expense	<u>\$358,714</u>
Total Expense	\$358,714

Revenue	
Public Health Revenue	<u>\$358,714</u>
Total Revenue	\$358,714

Operations, Management And Budget

21-116

Authorization To Execute Contract Amendment For Business Analyst

WHEREAS, professional services are required to ensure the continuation of projects freeing up Information Technology (IT) staff to work on larger projects; and

WHEREAS, County IT has contracted with a Business Analyst consultant to assist staff in ensuring that projects are properly scoped, and all business requirements are well documented; and

WHEREAS, the original contract in the amount of \$168,400 needs to be extended to continue to allow staff to work on the Enterprise Resource Planning (ERP) Implementation project and other larger projects; and

WHEREAS, the amendment extends the contract term by six months, ending on August 13, 2021, and increases the cost for services by \$80,000 for a total contract amount of \$248,400; and

WHEREAS, the IT Department has a consulting budget available in 2021 to fund the 2021 portion of the professional services contract amendment from March 15, 2021 to August 13, 2021, totaling \$80,000.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Information Technology Chief Information Officer to execute a contract amendment with OnDemand Group for additional technology and Business Analyst services from March 15, 2021 to August 13, 2021, at a cost of \$80,000, for a total contract amount of \$248,400, subject to approval by the County Attorney's office as to form.

21-117

Authorization To Execute Joint Powers Agreement With Minnesota Valley Transit Authority To Use County I-Net Backbone

WHEREAS, the Minnesota Valley Transit Authority (MVTA) desires to use of two available (dark) strands of optic fiber to enable more reliable communication and assist with Point of Sale transactions benefiting the public utilizing the transit facilities; and

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WHEREAS, a joint powers agreement with MVTA is required for use of County fiber optic cable; and

WHEREAS, the MVTA will make an annual payment of \$4,609.80 for 20 years to the County for the use of two strands of Institutional Network Backbone from the Western Service Center to MVTA's Segment 1 and Segment 2; and

WHEREAS, revenue from this agreement with the MVTA will offset operating expenses of the County-owned Institutional Network.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Chief Information Officer execute a joint powers agreement with the Minnesota Valley Transit Authority for use of two strands of County-owned Institutional Network Backbone, subject to approval by the County Attorney's Office as to form.

Physical Development

21-118

Authorization To Execute Contract With Xcel Energy For Utility Relocations For Minnesota River Greenway Fort Snelling Segment Project

WHEREAS, the Minnesota River Greenway (MNRGW) runs along the south side of the Minnesota River in Eagan and Burnsville, extending from I35-W in Burnsville to Lilydale Regional Park in Saint Paul; and

WHEREAS, by Resolution No. 11-516 (October 18, 2011), the Dakota County Board of Commissioners adopted the MNRGW Master Plan (Master Plan); and

WHEREAS, the Project is the last remaining segment of the MNRGW to be completed and is comprised of 3.4 miles of paved trail within Fort Snelling State Park and a pedestrian bridge crossing of the Union Pacific Railroad; and

WHEREAS, by Resolution No. 20-163 (March 24, 2020), the Dakota County Board of Commissioners approved schematic design for the Project, including the relocation of several power line structures owned by Xcel Energy; and

WHEREAS, following schematic approval, project design continued to determine the precise scale, scope, and timeline for the anticipated power line structure relocations and, based on the estimates provided by Xcel Energy staff, immediately began to identify cost-effective alternatives to avoid or lessen this additional cost; and

WHEREAS, at that time, Xcel Energy determined that a bridge and pedestrian ramp in their easement would be acceptable if the bridge deck to conductor vertical clearance of 20.3 feet could be maintained; and

WHEREAS, given the new information, staff quickly reassessed the bridge's location relative to the power line structures, and, by Resolution 20-291 (June 16, 2020), the Dakota County Board of Commissioners approved a contract amendment for additional design required to move the location of the pedestrian bridge to provide the required bridge deck to conductor vertical clearance; and

WHEREAS, at the same time, Xcel Energy stated that if the bridge is located so that the guy wires for the power line structure interfere with the bridge structure, adjustment or other relocation of the guy wires could be done within the existing easements and at modest cost; and

WHEREAS, based on those assumptions, design work continued to move the location of the pedestrian bridge to provide the required bridge deck to conductor vertical clearance as determined acceptable by Xcel Energy; and

WHEREAS, revised Project plans were submitted to Xcel Energy August of 2020 with comment received in

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December 2020; and

WHEREAS, the findings as determined by Xcel Energy were that the bridge proposal as illustrated meets the electrical code requirements and would be generally acceptable to Xcel Energy but that the bridge ramp section goes directly through the guy wires for the power line structure; and

WHEREAS, Xcel Energy determined that the conflict with the guy wires is significant enough that the only resolution Xcel Energy management would entertain is replacement of the transmission structure with a new structure without guy wires; and

WHEREAS, alternative solutions that involve connecting the guy wires to the bridge structure or use of catenary poles and extended guy leads were also declined by Xcel Energy management; and

WHEREAS, staff recommends authorizing a contract with Xcel Energy to provide design, engineering, and construction of a new power line transmission structure required for the MNRGW Fort Snelling Segment project.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Parks, Facilities, and Fleet Director to execute a contract with Xcel Energy to provide design, engineering, and construction of a new power line transmission structure required for the Minnesota River Greenway Fort Snelling Segment project in an amount not to exceed \$471,000, subject to approval by the County Attorney's Office as to form.

21-119

Authorization To Execute Easement Amendment With Northern States Power dba Xcel Energy For Lake Byllesby Regional Park Trail Connection

WHEREAS, the Lake Byllesby Regional Park (Park) Masterplan Improvements Project was approved in the 2019–2023 Capital Improvement Program (CIP) with project completion in November of 2020; and

WHEREAS, the Project priority improvements were outlined in the Lake Byllesby Regional Park Master Plan as approved by Resolution No. 18-056 (January 23, 2018); and

WHEREAS, the Project priority components were further refined via public comment solicited in October and December of 2019; and

WHEREAS, project Schematic Design as approved by Resolution No. 18-633 (December 18, 2018) is based on both the approved Master Plan and additional community engagement; and

WHEREAS, the need for this dedicated off-road sidewalk between the Park and nearby neighborhoods was identified in the approved Park Master Plan and by numerous community members attending the more recent project open houses; and

WHEREAS, the community members voiced safety concerns about families with small children accessing the Park via the shoulder of Harry Ave. where the speed limit is 45 mph; and

WHEREAS, the recently completed Park Master Plan improvement project includes a dedicated off-road sidewalk creating safe passage between the neighborhood and the Park; and

WHEREAS, the new trail connection bisects the northern edge property owned by Northern States Power Company d/b/a Xcel Energy; and

WHEREAS, the Mill Towns State Trail connection to the Park via the Department of Natural Resources Cannon River Bridge has already encumbered a trail easement on the Northern States Power Company d/b/a Xcel Energy property as approved by Resolution No. 15-385 (July 28, 2015); and

WHEREAS, the easement amendment allows for final incorporation of the 2015 as built survey data for the Mill

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Towns State Trail on Northern States Power Company d/b/a Xcel Energy property and inclusion of the new Heather Avenue neighborhood trail connection; and

WHEREAS, the County Attorney's office has reviewed and commented on the draft easement as to form; and

WHEREAS, staff recommends that the County Board approve the execution of an easement amendment with Xcel Energy for the Mill Towns Regional Trail and neighborhood trail connection on the Northern States Power Company d/b/a Xcel Energy property.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the execution of an easement amendment with Northern States Power Company d/b/a Xcel Energy for the Mill Towns State Trail and Lake Byllesby Regional Park neighborhood connector trail, subject to approval by the County Attorney's office as to form.

21-120

Authorization To Award And Execute Contract With Paragon Restoration II, Inc., To Provide General Contractor Services For Northern Service Center Loading Dock And Fuel Storage Room Improvements Project

WHEREAS, the 2021 Building Capital Improvement Program (CIP) Adopted Budget authorized the Northern Service Center (NSC) Loading Dock and Fuel Storage Room Improvements project; and

WHEREAS, bid documents and specifications were prepared by Kodet Architectural Group, LTD, and advertised on January 29, 2021; and

WHEREAS, eight competitive bids were received on February 25, 2021; and

WHEREAS, Paragon Restoration II, Inc., submitted a bid of \$129,700; and

WHEREAS, staff and Kodet Architectural Group, LTD., reviewed the qualifications of the bidder and recommend award to Paragon Restoration II, Inc., as the lowest responsive and responsible bidder, in an amount not to exceed \$129,700, for the NSC Loading Dock and Fuel Storage Room Improvements project; and

WHEREAS, funding for the project is within the approved 2021 Building CIP Adopted Budget.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Parks, Facilities, and Fleet Management Director to execute a contract with Paragon Restoration II, Inc., 5448 Cottonwood Lane SE, Prior Lake, MN 55372, in an amount not to exceed \$129,700, for the Northern Service Center Loading Dock and Fuel Storage Room Improvements project, subject to approval by the County Attorney's office as to form.

21-121

Certification Of Property Assessed Clean Energy Charges For Energy Improvements

WHEREAS, the Dakota County Board of Commissioners approved the joint powers agreement (JPA) with the Port Authority of the City of Saint Paul (Port Authority) by Resolution No. 17-144 (March 21, 2017), designating the Port Authority to implement and administer Property Assessed Clean Energy (PACE) improvement financing on behalf of the County and providing for the impositions of special assessments pursuant to Minn. Stat. § 216C.435 and 216C.436 and Chapter 429 and as needed in connection with that program; and

WHEREAS, the County understands that the Port Authority will issue its PACE special assessment revenue bonds to finance the improvements and that the sole security for the bond will be special assessments imposed by the other cities and/or counties participating in PACE; and

WHEREAS, after imposition of the special assessments, the County shall collect such assessments twice a year

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and remit them to the Port Authority for use in the repayment of the loan(s) or bond(s); and

WHEREAS, the County will take all actions permitted by law to recover the assessments, including, without limitation, reinstating the outstanding balance of assessments when the land returns to private ownership, in accordance with Minn. Stat. § 429.071, subd. 4; and

WHEREAS, the special assessment shall be certified to the County Treasurer-Auditor and entered into the tax lists for the following year; and

WHEREAS, the annual installment and interest shall be collected at the same time and in the same manner as real property taxes; and

WHEREAS, the special assessment, with accruing interest, is a lien upon the benefited property until paid.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the County Treasurer-Auditor to extend the proposed special assessment plus accruing interest on the property set forth and listed below:

<u>Property Owner</u>	<u>Parcel Number</u>	<u>Assessment Amount</u>	<u>Interest Rate</u>	<u>Finance Period</u>	<u>Accrual Date</u>
Everest Enterprises, LLC	02.15385.01.040	\$113,000.00	4.25%	10 years	01/01/22

; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the County Treasurer-Auditor to extend the proposed special assessment plus interest on the properties identified herein and record this assessment against the properties with the Dakota County Recorder.

21-122

Authorization To Execute Contract With Bolton & Menk, Inc., For Construction Management Services For County Project 30-39 (Diffley Road) In City Of Eagan

WHEREAS, to provide a safe and efficient transportation system, Dakota County and the City of Eagan are proceeding with County Project (CP) 30-39; and

WHEREAS, CP 30-39 is the construction of County Road (CR) 30 from a four-lane divided roadway to a two-lane divided roadway with roundabouts at Daniel Drive and Braddock Trail; and

WHEREAS, City Project 1408 is tied to CP 30-39 by 2020 bonding and will be constructed concurrently; and

WHEREAS, the County is the lead agency for CP 30-39 with construction scheduled to begin in spring 2021; and

WHEREAS, the 2021 construction workload is greater than the number of available County staff; and

WHEREAS, an engineering firm with this specialty will provide construction management in 2021; and

WHEREAS, the three proposals were evaluated by Transportation and City staff; and

WHEREAS, the proposal from Bolton & Menk, Inc., highlights their strong technical expertise, staff, and experience with large scale transportation projects and meets the requirements of this project, and

WHEREAS, the requested construction management was estimated to cost eight percent of the estimated construction cost, but the proposal submitted by Bolton & Menk, Inc., came in under the estimate at 7.3 percent; and

WHEREAS, the proposed Transportation Capital Improvement Program budget includes sufficient funding in

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2021 for CP 30-39; and

WHEREAS, the County Engineer recommends execution of a contract with Bolton & Menk, Inc., for construction management services for CP 30-39 for actual costs; and

WHEREAS, the County Engineer also recommends including an addition to this contract allowing the Consultant's Construction Inspector to help manage the 2021 construction projects through October 2021, which results in approximately eight weeks at \$153/hour or \$48,960; and

WHEREAS, the County Engineer also recommends adding \$18,000 to this contract to cover the costs of a construction hotline and bidding the construction contract.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute a contract with Bolton & Menk, Inc., for construction management services for County Project 30-39 for \$378,424, additional inspection services through October 2021 at \$48,960 and \$18,000 to complete the design contract for a total contract amount of \$445,384. Subject to approval by the County Attorney's Office as to form.

21-123

Authorization To Execute Contract With Bolton & Menk, Inc., For Engineering Services On County Project 42-149

WHEREAS, to promote a safe and efficient transportation system, Dakota County is proceeding with County Project (CP) 42-149 to improve County State Aid Highway (CSAH) 42; and

WHEREAS, the project consists of resurfacing CSAH 42 from the west County line to CSAH 11, restriping the roadway, repair of public utility structures, and replacement of pedestrian facilities to meet Americans with Disabilities Act (ADA) requirements; and

WHEREAS, the project is being combined with CP 42-154; and

WHEREAS, County staff issued a request for proposals (RFP) for design engineering services to four qualified consulting firms; and

WHEREAS, proposals were received from all four companies and evaluated by County and City staff; and

WHEREAS, Bolton & Menk, Inc., was able to demonstrate that they could provide the services in the RFP at the lowest cost and a good approach to public involvement for the project; and

WHEREAS, the estimated cost from Bolton & Menk, Inc., was \$210,137; and

WHEREAS, the 2021–2025 Transportation Capital Improvements Program budget includes sufficient funds; and

WHEREAS, staff recommends executing a contract with Bolton & Menk, Inc.; and

WHEREAS, the City supports this recommendation.

NOW, THEREFORE, BE IT RESOLVED, That the County Board of Commissioners hereby authorizes the Physical Development Director to execute a contract with Bolton & Menk, Inc. in an amount not to exceed \$210,137, subject to approval by the County Attorney's Office.

21-124

Authorization To Approve Contract Amendment On County Project 50-23 In City Of Lakeville And Amend Transportation Capital Improvement Program Budget

WHEREAS, to promote a safe and efficient transportation system throughout the County, Dakota County, in

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cooperation with the City of Lakeville, reconstructed County State Aid Highway (CSAH) 50 (202nd Street West) to a two-lane divided highway from Holyoke Avenue to CSAH 23 (Cedar Avenue); and

WHEREAS, by Resolution 19-419 (March 12, 2019), the County Board approved a construction contract with R.L. Larson Excavating, Inc., in the amount of \$9,186,605; and

WHEREAS, construction began in the summer of 2019 and was substantially completed in June of 2020; and

WHEREAS, contract costs have increased by \$940,662, or 10.2 percent above the bid amount; and

WHEREAS, the three major items that contributed to the cost increased are the addition of a full intersection for the new Bennett Bluffs development, the need to pave the eastern half of the road before winter, and poor soils throughout the project area; and

WHEREAS, the City of Lakeville and Dakota County share in the cost of the project, approximately 45 and 55 percent, respectively; and

WHEREAS, the City's share is also capped at 25 percent of total County-eligible project costs after application of all cost-sharing provisions; and

WHEREAS, staff recommends authorizing a contract amendment with R.L. Larson Excavating, Inc., in the amount of \$940,621 and authorizing a budget amendment in the amount of \$627,227.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the contract amendment and authorizes the Physical Development Director to execute a contract amendment with RL. Larson Excavating, Inc., in the amount of \$940,662 for additional contract costs on County Project 50-23, subject to the approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the 2021 Transportation Capital Improvement Budget is hereby amended as follows:

Expense	
County Project 50-23	<u>\$627,227</u>
Total Expense	\$627,227
Revenue	
State Aid	\$852,435
City of Lakeville	<u>(\$225,208)</u>
Total Revenue	\$627,227

21-125

Approval Of Final Plats Recommended By Plat Commission

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

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the

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following final plats:

PHEASANT RUN OF LAKEVILLE SIXTH ADDITION	Lakeville
KNOB HILL OF LAKEVILLE THIRD ADDITION	Lakeville
MCCLUNG ACRES	Rosemount
EAGLES LANDING	Inver Grove Heights

21-126

Authorization To Provide Letter Of Support For Minnesota Department Of Transportation's Application To Infrastructure For Rebuilding America Grant Program For I-494 Corridor Project

WHEREAS, Interstate I-494 between Highway 169 and the Minneapolis-Saint Paul International Airport is an important corridor for the commuting public, freight, and those accessing regional destinations; and

WHEREAS, the I-35W and I-494 interchange is a significant regional bottleneck impacting commuters and freight on both Interstate corridors; and

WHEREAS, the Minnesota Department of Transportation (MnDOT) has been working with corridor stakeholders including cities, counties, and corridor coalitions to identify solutions for congestion, safety, and multimodal access in the I-494 corridor; and

WHEREAS, MnDOT has developed an implementation plan for the phasing of projects in the corridor to guide implementation and funding decisions; and

WHEREAS, the first phase of projects includes the interchange at I-494 and I-35W, MnPASS lanes between I-35W and Highway 100, and new bridges east of I-35W; and

WHEREAS, these projects will significantly improve mobility and safety for both I-35W and I-494; and

WHEREAS, MnDOT and partners have secured \$225 million in funding for the project but still need additional dollars to close the funding gap; and

WHEREAS, MnDOT is submitting an application to the US Department of Transportation (USDOT) for the Infrastructure for Rebuilding America (INFRA) Grant Program, which is intended to fund transportation projects of national and regional significance; and

WHEREAS, MnDOT is seeking letters of support for this highly competitive national grant application.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes a letter of support to the USDOT for Minnesota Department of Transportation's application to the Infrastructure for Rebuilding America Grant Program for the I-494 corridor project.

21-127

Authorization To Provide Letter Of Support For City Of Burnsville's Application To U.S. Department Of Energy Connected Communities Funding Opportunity For Burnsville Civic Center Campus

WHEREAS, the City of Burnsville is working with Dakota Electric Association to apply for funding through the U.S. Department of Energy Connected Communities funding opportunity; and

WHEREAS, the Dakota Electric Association promotes energy efficiency and sustainability; and

WHEREAS, the project will incorporate solar and energy storage, fleet electrification, public EV charging, and energy efficiency upgrades which will make the facilities modern, sustainable, and resilient; and

WHEREAS, the funding opportunity provides a clear path to reach the stated goals within the City of Burnsville's

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Sustainability Guide Plan; and

WHEREAS, the City of Burnsville is asking for County support of their efforts to obtain funding to make the Burnsville Civic Center more energy efficient.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes a letter of support to the City of Burnsville as they seek funding from the U.S. Department of Energy Connected Communities to make the Burnsville Civic Center more energy-efficient and sustainable.

Public Safety

21-128

Authorization To Execute Agreement With City Of Saint Paul To Collaborate And Investigate Auto Theft Crimes

WHEREAS, the Saint Paul Police Department received a grant from the State of Minnesota Department of Commerce that expires June 30, 2021 to investigate auto thefts; and

WHEREAS, the Saint Paul Police Department has grant funds remaining and requested the Sheriff's Office to collaborate and investigate the increasing auto theft crimes; and

WHEREAS, the Sheriff's Office will assist and collaborate in each agency's auto theft investigations by providing electronic forensic examinations; and

WHEREAS, the Saint Paul Police Department, through their remaining grant funds will reimburse the Sheriff's Office for personnel overtime costs up to a total of \$14,890 dedicated to auto theft investigations.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Dakota County Sheriff to execute an agreement with the City of Saint Paul, Saint Paul Police Department, to collaborate and investigate auto theft crimes, through June 30, 2021, and reimburse the Sheriff's Office grant funds up to \$14,890 for personnel overtime costs, subject to approval by the County Attorney's Office as to form.

Public Services And Revenue

21-129

Authorization To Execute Contract With WT Cox For Provision Of Library Periodicals

WHEREAS, two qualified vendors responded to the solicitation and were reviewed and rated by library staff based on factors related to vendor ability to meet specification outlined in the Request for Proposals document including volume discounts, estimated costs based on 2020 expenditures, product availability, customer service and costs for processing/cataloging services; and

WHEREAS, WT Cox is recommended as the primary vendor for print magazines and periodicals based on the scoring factors listed above plus history with the County; and

WHEREAS, the projected total cost of the proposed contract with WT Cox is not to exceed \$180,000 for the three years.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Library Director to execute a contract with WT Cox in an amount not to exceed \$180,000 to serve as the library's primary vendor for periodicals beginning May 1, 2021 and will continue to supply periodicals through December 31, 2024, subject to the approval by the County Attorney's Office as to form.

21-130

Authorization To Submit Application To Commissioner Of Public Safety For Appointment Of Deputy Registrar Of Motor Vehicles And To Execute Certificate Of Appointment

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WHEREAS, Dakota County has demonstrated its commitment to providing great customer service to its citizens by performing motor vehicle and driver's license transactions at the Burnsville License Center, Hastings Service Desk, Lakeville License Center, and Robert Trail License Center; and

WHEREAS, a Deputy Registrar of Motor Vehicles is appointed by the Commissioner of Public Safety pursuant to Minn. Stat. § 168.33 to locally discharge the duties of the registrar of vehicles of the state of Minnesota; and

WHEREAS, Kasha M. McLay has been hired as the Director of Service & License Centers for Dakota County, replacing Kathleen Jensen; and

WHEREAS, Kasha M. McLay has indicated her willingness to be appointed the Deputy Registrar of Dakota County; and

WHEREAS, County Board authorization is requested for the Director, Service and License Centers to submit an application to the Commissioner of Public Safety for Appointment of Kasha M. McLay as a Deputy Registrar; and

WHEREAS, County Board authorization is requested for Kasha M. McLay to execute a Certificate of Appointment with the Commissioner of Public Safety upon appointment.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Director of Dakota County Service and License Centers to submit an application to the Commissioner of Public Safety for appointment of Kasha M. McLay as Deputy Registrar for the Burnsville License Center, Hastings Service Desk, Lakeville License Center, and Robert Trail License Center and authorizes Kasha M. McLay to execute a certificate of appointment with the Commissioner of Public Safety.

REGULAR AGENDA

County Board/County Administration

21-131

Update On Process For Selection And Appointment Of County Attorney And Authorization For Board Chair To Appoint Subcommittee To Review Applicant Qualifications And Identify Finalists

Employee Relations Director Andrew Benish briefed this item and responded to questions. As of the deadline, five applications have been received. Tentative interview dates have been chosen. Commissioners received several letters on this agenda item. The letters are on record with the Clerk to the Board.

Public comment:

Community Engagement Director Jana Kooren with ACLU of Minnesota

Written comment received by:

ACLU of Minnesota, Coalition of Asian American Leaders (CAAL), Don't Complain Activate, Jewish Community Action (JCA), NAACP-Minneapolis, Release MN8, John j. Choi (Ramsey County Attorney), Dakota County Chiefs of Police, Margaret Horsch.

Motion: Kathleen A. Gaylord

Second: Liz Workman

WHEREAS, County Attorney James C. Backstrom retired effective February 27, 2021; and

WHEREAS, under Minn. Stat. §§ 382.02 and 375.08, when a vacancy occurs in the Office of the County Attorney the County Board has the authority to appoint an individual to fill such vacancy for the balance of the current term of office of the departing County Attorney; and

WHEREAS, by Resolution No. 21-107 (February 16, 2021), the County Board authorized the Director of Employee Relations to seek candidates for appointment to the office of County Attorney by advertising in

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appropriate locations for a three week period, a job posting providing the minimum qualifications, a general description of the statutory duties of the County Attorney and summary of the expected knowledge, skill and abilities of the candidates; and

WHEREAS, the application period closed March 8, 2021; and

WHEREAS, at the March 9, 2021 County Board of Commissioners meeting, the Director of Employee Relations provided an update on the number of applications received; and

WHEREAS, the County Manager and Director of Employee Relations recommend the County Board authorize the Board Chair to appoint a subcommittee of up to three Commissioners to review qualifications of the applicants, refine the selection process and identify finalists for the appointment as County Attorney.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Board Chair to appoint a subcommittee of up to three Commissioners to review qualifications of the applicants, refine the selection process and identify finalists for the appointment as County Attorney.

Ayes: 7

Nays: 0

Update On Coronavirus Public Health Response, Vaccinations, And County Operational Impacts

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.

21-132

Update On Small Business Grant Program – Round 4 And Authorization To Amend 2021 Non-Departmental Budget

Community Development Agency Executive Director Tony Schertler briefed this item and responded to questions. This item was on the agenda as informational only; however, after discussion a motion and second were made to approve a resolution.

Motion: Mike Slavik

Second: Laurie Halverson

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the County Manager to amend the 2021 Non-Departmental budget to fully fund and award eligible Priority 1 grants in Round 4 of the Dakota County Small Business Relief Grant Program (2021 Emergency Relieve Program for Business and 2021 Emergency Relief Program for Non-Profits) utilizing unallocated funds from Round 3 (Emergency Relief Program for Business Affected by Executive Order 20-99) and Pandemic Response Set-aside.

Ayes: 7

Nays: 0

21-133

Recognition Of HEROES Awards Recipients

The time being 10:00 a.m., the annual HEREOS Award Recognition Ceremony was held. The HEROES Awards were then presented, recognizing outstanding collaboration achievements in 2020. The 2020 HEROES Award recognizes all Dakota County employees for outstanding collaboration in their service to the County in 2020. The following program was recognized as a runner-up: Social Services and Lyft Partnership.

Motion: Mary Hamann-Roland

Second: Joe Atkins

WHEREAS, Dakota County has designated one County Board meeting of each year for HEROES recognition day; and

WHEREAS, Dakota County recognizes outstanding collaborations through the HEROES (Honoring Effective

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Responsive Outstanding Efficient Service) Awards to recognize employee groups who demonstrate the County's mission of "Efficient, Effective, Responsive government" to implement innovative and creative methods for serving customers and the public.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby recognizes all County employees and presents them with HEROES Awards for outstanding collaboration achievements in their service to Dakota County in 2020.

Ayes: 7

Nays: 0

Public Services And Revenue

Annual Market Value Update

Assessing Services Director Scott Lyons briefed this item and responded to questions. This item was on the agenda for informational purposes only. No additional direction was given by staff.

Closed Executive Session

21-134

Authorization To Approve Acquisition Settlement With Daniel Witucki (Parcel 34 And TE 34) For County Project 8-21

This item did not go into closed session.

Motion: Kathleen A. Gaylord

Second: Joe Atkins

WHEREAS, to provide a safe and efficient transportation system, Dakota County (County) and the City of West St. Paul are partnering on County Project (CP) 8-21; and

WHEREAS, CP 8-21 involves the reconstruction of County State Aid Highway (CSAH) 8 from CSAH 63 (Delaware Avenue) to Humboldt Avenue in West St. Paul; and

WHEREAS, Dakota County is the lead agency for CP 8-21; and

WHEREAS, to construct the recommended improvements, Dakota County must acquire certain property rights from Daniel Witucki (Landowner) identified in Dakota County Right of Way Map 477 as Parcel 34 and TE 34; and

WHEREAS, the County performed additional work outside of TE 34; and

WHEREAS, the County's appraisal and offer to the Landowner for Parcel 34 and TE 34 was \$11,100; and

WHEREAS, the Landowner rejected the offer seeking additional damages related to the property; and

WHEREAS, the parties in this action have agreed to settle all damages caused by the taking and work performed outside TE 34 whereby the County will pay the Landowner \$56,500, subject to approval by the County Board; and

WHEREAS, the County Attorney and Transportation Department staff recommend approval of the settlement agreement as being a fair and equitable settlement of the action in view of the impacts to the property, real estate market data, the time, additional expense and risk involved in continued litigation and belief that the settlement represents an appropriate allocation of the prospects for success if the matter is allowed to proceed to a commissioners' hearing.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the acquisition of property from Daniel Witucki identified in County Project 8-21 as Parcel 34 and TE 34, and legally described above, in the amount of \$56,500 as being in the best interest of the County, and authorizes the County Attorney to arrange for final payment of the acquisition amount and to effectuate final settlement of the acquisition between the parties; and

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BE IT FURTHER RESOLVED, Resolution No. 19-605 is hereby rescinded and replaced by this resolution.

Ayes: 7

Nays: 0

21-135

Authorization To Approve Acquisition Settlements From Allen D. Hoffman And Marilyn J. Hoffman, As Trustees Of Allen D. And Marilyn J. Hoffman Living Trust For Parcels 1, 1A And 2 (489) For County Project 78-12

This item did not go into closed session.

Motion: Mike Slavik

Second: Joe Atkins

WHEREAS, Dakota County is proceeding with County Project (CP) 78-12 to improve and reconstruct County State Aid Highway (CSAH) 78 from CSAH 79 (Blaine Avenue) Northfield Boulevard (County Road 47) in Castle Rock Township, City of Hampton and Hampton Township; and

WHEREAS, the County is the lead agency for the design and right of way acquisition for CP 78-12; and

WHEREAS, to construct the recommended improvements, Dakota County must acquire property from Allen D. Hoffman and Marilyn J. Hoffman, as Trustees of the Allen D. and Marilyn J. Hoffman Living Trust, ("Landowners") identified in Dakota County Right of Way Map 489 as Parcels 1, 1A, and 2; and

WHEREAS, the County offered the Landowners compensation based on the County's approved appraised value for the parcel; and

WHEREAS, the Landowners rejected the offer seeking additional damages for costs related to the acquisition; and

WHEREAS, the parties in this action have agreed to settle all damages caused by the taking whereby the County will pay Landowners \$555,567; and

WHEREAS, the County Attorney and Transportation staff recommend approval of the settlement agreement as being a fair and equitable settlement of the claims in view of the impacts to the property, real estate market data, the time, additional expense and risk involved in continued litigation and belief that the settlement represents an appropriate allocation of the prospects for success if the matter is allowed to proceed to a commissioners' hearing.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the acquisition of property from Allen D. Hoffman and Marilyn J. Hoffman, as Trustees of the Allen D. and Marilyn J. Hoffman Living Trust, identified in Dakota County Right of Way Map 489 as Parcel 1, 1A, and 2 for \$555,567 as being in the best interest of the County, and authorizes the County Attorney to arrange for final payment of the acquisition amount and to effectuate final settlement of the acquisition.

Ayes: 7

Nays: 0

Interagency Announcements/Reports

Interagency announcements and reports were then presented.

County Manager's Report

County Manager Matt Smith shared his sentiments for all behind the scenes staff that put together the HEROES Awards Ceremony and once again thanked all staff for a job well done during the recent COVID-19 pandemic.

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Information

See Attachment A - Future Board Meetings And Other Board Activities

21-136

Adjournment

Motion: Mike Slavik

Second: Mary Hamann-Roland

On a motion by Commissioner Mike Slavik, seconded by Commissioner Mary Hamann-Roland, the meeting was adjourned at 10:56 a.m.

Mary Liz Holberg
Chair

ATTEST

Matt Smith
County Manager