

May 4, 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

Commissioner Halverson joined the meeting at 9:17 a.m.

Also in attendance were: Matt Smith, County Manager; Kathryn M. Keena, Acting 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 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
No comments were received for this agenda.

21-224

Approval Of Agenda (Additions/Corrections/Deletions)

Motion: Kathleen A. Gaylord

Second: Mary Hamann-Roland

On a motion by Commissioner Kathleen A. Gaylord, seconded by Commissioner Mary Hamann-Roland, the agenda was unanimously approved.

CONSENT AGENDA

Motion: Liz Workman

Second: Mike Slavik

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

21-225

Approval Of Minutes Of Meeting Held On April 20, 2021

County Board/County Administration

Update On 2021 National Association Of Counties Achievement Award Applications

The following programs were submitted for 2021 National Association of Counties (NACo Achievement Awards):

May 4, 2021

- Family Dependency Treatment Court (Criminal Justice/Public Safety)
- COVID-19 Testing Collaboration: Dakota Child and Family Clinic (Health)

This item was on the agenda for informational purposes only.

21-226

Appointments To Public Art Citizen Advisory Committee

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby appoints the following individuals to the Public Art Citizen Advisory Committee to complete one-year terms ending December 31, 2021:

District	Name
At-large	Allen Tsai
At-large	Michael Todaro

21-227

Authorization To Execute Joint Powers Agreement With Dakota Communications Center For Human Resources Services

WHEREAS, in 2019, Dakota County and the Dakota Communications Center executed a Human Resources Agreement to enable the DCC to receive human resource services from the Dakota County Employee Relations Department; and

WHEREAS, Dakota County and the DCC desire to extend this agreement through December 31, 2023.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Board Chair to execute a joint powers agreement with the Dakota Communications Center for the provision of human resources services through December 31, 2023, subject to approval by the County Attorney's Office as to form.

Community Services

21-228

Authorization To Accept Grant Funds From MDH For COVID-19 Vaccination Funding, Execute Grant Agreement, Add Up To 6.0 FTE Special Limited-Term Temporary Staff, Execute Related Contracts And/Or Amendments, And Amend 2021 Public Health 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 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 April 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 \$38,192,000 of its \$50,958,885 of federal funding, for the period of April 1, 2021 through December 31, 2021, to community health

May 4, 2021

boards and tribal governments; and

WHEREAS, on April 9, 2021, MDH provided Dakota County with its COVID-19 response Grant Award in the amount of \$1,985,509.00 for the period of April 1, 2021 through December 31, 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, including up to \$322,400 for temporary staffing, and up to \$318,723 for up to 6.0 full-time equivalent (FTE) Special Limited-Term temporary staff; and

WHEREAS, MDH staff have indicated that it is unclear 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 \$1,985,509 MDH COVID-19 vaccination implementation grant funds, effective April 1, 2021 through December 31, 2021; and

WHEREAS, staff recommends that the Dakota County Board of Commissioners authorizes the Community Services Director to authorize execution of the grant agreement effective April 1, 2021 through December 31, 2021; and

WHEREAS, staff recommends that the Dakota County Board of Commissioners authorizes the Community Services Director to authorize any contracts and/or amendments that result from the need to provide services in relation to the COVID-19 vaccination implementation response, consistent with County contracting policies and subject to approval by the County Attorney's Office as to form; and

WHEREAS, Dakota County will use up to \$318,723 in grant funds to hire up to 6.0 FTE Special Limited-Term temporary staff; and

WHEREAS, staff recommends an amendment to the 2021 Public Health Budget by \$1,985,509 to reflect the revenues and expenses associated with the COVID-19 vaccination implementation grant.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to accept the \$1,985,509 MDH COVID-19 vaccination implementation grant funds, effective April 1, 2021 through December 31, 2021; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to execute the grant agreement with MDH effective April 1, 2021 through December 31, 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, consistent with County contracting policies and subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to use up to \$318,723 in grant funds to cover expenses for up to 6.0 full-time equivalent Special Limited-Term temporary staff; 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 Community Services Director is hereby authorized to amend said

May 4, 2021

contracts within the amount budgeted, to alter the number and types of clients served, types of services provided, service expectations and rates, and the contract term, consistent with County contracting policies, subject to approval by the County Attorney's Office as to form; and

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

BE IT FURTHER RESOLVED, That the 2021 Public Health Budget is hereby amended as follows:

Expense	
Temp Staff Expense	\$ 322,400
Special Limited-Term Staff Expense	\$ 318,723
Program Expense	<u>\$1,344,386</u>
Total Expense	\$1,985,509
Revenue	
Grant Revenue	<u>\$1,985,509</u>
Total Revenue	\$1,985,509

21-229

Authorization To Amend Contract With Bluestone Physician Services, P.A. For COVID-19 Testing And Vaccinations In Long-Term Care And Congregate Care Sites

WHEREAS, COVID-19 has disproportionately impacted Long-Term Care (LTC) and Congregate Care Settings in Minnesota and across the nation; and

WHEREAS, by Resolution No. 20-308 (June 30, 2020), the Dakota County Board of Commissioners authorized a contract with Bluestone to conduct COVID-19 Community Systemic Testing (CST), laboratory analysis of the specimens and Personal Protective Equipment (PPE) training for the 160 LTC and 380 Congregate Care Settings located in Dakota County by utilizing Federal CARES Act funding in a not to exceed contract amount of \$1,000,000; and

WHEREAS, on December 1, 2020, the CARES Act funding ended but the need to test continued and with the pending approval of a COVID-19 vaccination, Dakota County initiated a new contract with Bluestone in a not to exceed contract amount of \$50,000 for the period of December 2, 2020 through December 31, 2021; and

WHEREAS, the contract was amended to increase the not to exceed contract amount to \$99,000 through existing Social Services Department funds until such time federal funds became available; and

WHEREAS, by Resolution No. 21-088 (February 16, 2021), the Dakota County Board of Commissioners authorized the increase of the not to exceed contract amount to \$500,000 for the period of December 2, 2020 through December 31, 2021 to allow Bluestone staff, on a fee-for-service basis, to conduct COVID-19 CST, laboratory analysis of the specimens, PPE training and COVID-19 vaccination for LTC, Congregate Care Settings located in Dakota County; and

WHEREAS, there is additional demand for COVID-19 vaccination among people with disabilities and older adults with barriers to vaccine access; and

WHEREAS, staff recommends amending the current contract with Bluestone to increase the not to exceed contract amount to \$1,000,000 for the period of December 2, 2020 through December 31, 2021 to allow Bluestone staff, on a fee-for-service basis, to plan and execute additional community vaccination clinics for people with disabilities and older adults, residents in independent living settings and others requiring more targeted vaccination efforts.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to execute an amendment to the contract with Bluestone Physician Services, P.A.

May 4, 2021

to conduct COVID-19 Community Systemic Testing, laboratory analysis of the specimens and Personal Protective Equipment training and vaccinations for Long-Term Care and Congregate Care Settings located in Dakota County, on a fee-for-service basis, in a not to exceed contract amount of \$1,000,000, for the period of December 2, 2020 through December 31, 2021; and

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

County Attorney

21-230

Authorization To Execute Joint Powers Agreement And Subscriber Agreement For Access To Criminal Justice Data Communications Network

WHEREAS, the County Attorney's Office desires that the County of Dakota enter into a joint powers agreement and subscriber agreement with the State of Minnesota, Department of Public Safety, through its Bureau of Criminal Apprehension, to enable the County Attorney to maintain access to data repositories pursuant to the Criminal Justice Communications Network.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the County Attorney to execute a joint powers agreement and subscriber agreement with the Minnesota Department of Public Safety, through the Bureau of Criminal Apprehension, for access to data repositories pursuant to the Criminal Justice Data Communications Network, for a term of five years, at an annual cost of \$1,080.00, subject to approval by the County Attorney's Office as to form.

Operations, Management And Budget

21-231

Authorization To Purchase Network Switching Equipment To Support County Project 26-56

WHEREAS, by Resolution No. 19-525 (May 21, 2019), County Project (CP) 26-56 in the City of Eagan was approved; and

WHEREAS, Information Technology (IT) has been asked by Transportation to provide supporting switching infrastructure for the intersections of this project to provide connectivity for traffic signals and camera systems; and

WHEREAS, the project involves 21 intersections, requiring 21 network switches to connect to fiber optic cabling allowing the management of the electronics at these intersections; and

WHEREAS, ConvergeOne, has quoted, \$118,291.11 for the 21 network switches, Computer Discount Warehouse-Government (CDW-G) provided a second quote at \$118,457.19 and Insight Public Sector a third at \$121,961.27.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Dakota County Chief Information Officer (CIO) to contract with ConvergeOne for network equipment, for the total amount not to exceed \$118,291.11, subject to the approval by the County Attorney's Office as to form.

21-232

Authorization To Purchase Replacement Network Equipment For Dakota County Libraries

WHEREAS, network equipment are crucial components which connect County locations, computers and telephones to the core county resources and Internet; and

WHEREAS, replacing networking equipment proactively prevents the need to replace large sections of Dakota

May 4, 2021

County's networking environment simultaneously; and

WHEREAS, the Dakota County Library with assistance of Metropolitan Library Service Agency (MELSA) applied for grant money from the Regional Library Telecommunications Aid (RLTA) program; and

WHEREAS, Dakota County Library has been awarded \$179,000.00 in funding for network equipment; and

WHEREAS, Computer Discount Warehouse-Government (CDW-G), has quoted \$190,489.81 for the 28 network switches; and ConvergeOne provided a second quote at \$191,217.43; and Insight Public Sector a third at \$195,758.27.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Dakota County Chief Information Officer (CIO) to contract with Computer Discount Warehouse-Government (CDW-G) for network equipment, for the total amount not to exceed \$190,489.81, subject to the approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the 2021 Information Technology budget is hereby amended as follows:

Revenue	
RLTA Funding	<u>\$179,000</u>
Total Revenue	\$179,000
Expense	
Library Network Equipment	<u>\$179,000</u>
Total Expense	\$179,000

Update On Dakota County Investment Portfolio First Quarter 2021

This item was on the agenda for informational purposes only.

Physical Development

21-233

Authorization To Award And Execute Contract With Parkos Construction Company For Construction Of Public Health Clinic Remodel Project At Northern And Western Service Centers

WHEREAS, the 2018–2022 Building Capital Improvement Program (CIP) Adopted Budgeted included a project to renovate the Public Health Clinic at the Northern Service Center; and

WHEREAS, Resolution No. 20-071 (February 4, 2020), amended the previously approved project scope to include work at both the Public Health Clinics at the Northern Service Center and the Western Service Center; and

WHEREAS, Kodet Architectural Group was hired as the design consultant tasked with developing this project through a selective Request for Proposal process; and

WHEREAS, bid documents were prepared by Kodet Architectural Group; and

WHEREAS, the Project was formally advertised from March 30, 2021, to April 20, 2021; and

WHEREAS, ten competitive bids were received on April 20, 2021; and

WHEREAS, Parkos Construction Company has submitted the low bid of \$163,150 which includes the base bid and two add alternate bids; and

May 4, 2021

WHEREAS, staff and the design consultant have reviewed the qualifications of the low bidder and recommend award to Parkos Construction Company as the lowest responsive and responsible bidder in an amount not to exceed \$163,150 for the Public Health Clinic Remodeling Project at the Northern and Western Service Centers; and

WHEREAS, sufficient funds are available within the 2021 Building CIP Adopted Budget for this 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 Parkos Construction Company, 1010 S Robert Street, West St. Paul, MN 55118 for the Public Health Clinic Remodeling Project at the Northern and Western Service Centers, in an amount not to exceed \$163,150, subject to approval by the County Attorney's Office as to form.

21-234

Award Of Bid And Authorization To Execute Contract With Green Construction Services, Inc., To Provide General Contractor Services For Law Enforcement Center Laundry Equipment Replacement Project

WHEREAS, the 2021 Building Capital Improvement Program (CIP) Adopted Budget authorized the Law Enforcement Center (LEC) Laundry Equipment Replacement project; and

WHEREAS, bid documents and specifications were prepared by LHB Architects and advertised on March 26, 2021; and

WHEREAS, two competitive bids were received on April 20, 2021; and

WHEREAS, Green Construction Services, Inc., has submitted a bid of \$161,900; and

WHEREAS, staff and LHB Architects reviewed the qualifications of the bidder and recommend award to Green Construction Services, Inc., as the lowest responsive and responsible bidder, in an amount not to exceed \$161,900, for the LEC Laundry Equipment Replacement 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 Green Construction Services, Inc., 553 Como Avenue, Saint Paul, MN 55103, in an amount not to exceed \$161,900, for the Law Enforcement Center Laundry Equipment Replacement project, subject to approval by the County Attorney's office as to form.

21-235

Award Of Bid And Authorization To Execute Contract With Derau Construction, LLC To Provide General Contractor Services For Law Enforcement Center Intake Garage Door Replacement Project

WHEREAS, the 2021 Building Capital Improvement Program (CIP) Adopted Budget authorized the Law Enforcement Center (LEC) Intake Garage Door Replacement project; and

WHEREAS, bid documents and specifications were prepared by LHB Architects and advertised on March 26, 2021; and

WHEREAS, four competitive bids were received on April 20, 2021; and

WHEREAS, Derau Construction, LLC has submitted a bid of \$134,200; and

WHEREAS, staff and LHB Architects reviewed the qualifications of the bidder and recommend award to Derau Construction, LLC as the lowest responsive and responsible bidder, in an amount not to exceed \$134,200, for the Law Enforcement Center Intake Garage Door Replacement project; and

May 4, 2021

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 Derau Construction, LLC, 1061 E Cliff Rd, Burnsville, MN 55337, in an amount not to exceed \$134,200, for the Law Enforcement Center Intake Garage Door Replacement project, subject to approval by the County Attorney's office as to form.

21-236

Authorization To Execute Delegation Agreement With Minnesota Department Of Natural Resources For Aquatic Invasive Species Watercraft Inspections

WHEREAS, watercraft inspection programs have become common throughout Minnesota as an effective education and enforcement tool for slowing the spread of Aquatic Invasive Species (AIS); and

WHEREAS, to establish an AIS watercraft inspection program, the local governmental unit must execute a delegation agreement with the Minnesota Department of Natural Resources (MN DNR); and

WHEREAS, in 2017, Dakota County executed a delegation agreement with the DNR and successfully performed 28,101 inspections of watercraft entering and exiting Dakota County lakes through 2020; and

WHEREAS, the proposed delegation agreement would allow Dakota County to hire or contract for AIS inspectors through 2025; and

WHEREAS, Dakota County's inspectors shall receive MN DNR certification and authorization to inspect watercraft for AIS and prohibit lake access if necessary; and

WHEREAS, Lake Byllesby has been identified as a priority for AIS inspections; and

WHEREAS, municipalities within Dakota County have expressed interest in continuing cost-sharing for inspection services for waterbodies within their jurisdiction in 2021; and

WHEREAS, public motorized watercraft accesses are the most common source for introduction of new AIS within a waterbody; and

WHEREAS, AIS infestations not only threaten recreation and property values on waterbodies within Dakota County, they also pose a significant hazard to operation and maintenance of the County-owned Byllesby Dam.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Environmental Resources Director to execute a delegation agreement with the Minnesota Department of Natural Resources to provide Aquatic Invasive Species inspections on Dakota County waterbodies through 2025, subject to approval by the County Attorney's Office as to form.

21-237

Authorization To Execute Contract Amendment With Bolton & Menk, Inc., For Engineering Services For County Project 32-87 In Eagan

WHEREAS, to provide a safe and efficient transportation system, Dakota County and the City of Eagan (City) are proceeding with County Project (CP) 32-87; and

WHEREAS, CP 32-87 is the reconstruction of County State Aid Highway (CSAH) 32 (Cliff Road) from CSAH 43 (Lexington Avenue) to 0.2 miles east of Dodd Road in the City of Eagan; and

WHEREAS, Dakota County and the City of Eagan have worked jointly on CP 32-87; and

WHEREAS, by Resolution No. 20-269 (June 2, 2020), the County Board authorized the Physical Development Director to execute a contract with Bolton & Menk, Inc., for final design engineering services for CP 32-87, for an

May 4, 2021

amount not to exceed \$826,211; and

WHEREAS, since the contract was awarded, the project scope evolved to include items not in the original scope of design services to be performed by Bolton & Menk, Inc.; and

WHEREAS, the cost of the additional out-of-scope work for the final design engineering to be performed by Bolton & Menk, Inc., is \$75,660; and

WHEREAS, the 2021–2025 Capital Improvement Program Budget includes sufficient funding; and

WHEREAS, the County Engineer recommends execution of a contract amendment with Bolton & Menk, Inc., for design engineering services for CP 32-87 in an amount of \$75,660 for a new contract amount not to exceed \$901,871, including reimbursable items.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to amend the contract with Bolton & Menk, Inc., to perform the additional engineering services for County Project 32-87 in an amount not to exceed \$75,660, resulting in a total amended contract amount not to exceed \$901,871, including reimbursable items, subject to approval by the County Attorney's Office as to form.

21-238

Award Of Bid And Authorization To Execute Contract With Ims Contracting, LLC For County Project 78-12

WHEREAS, Dakota County (County) is proceeding with County Project (CP) 78-12; and

WHEREAS, CP 78-12 includes the segment of County State Aid Highway (CSAH) 78 from CSAH 79 to Trunk Highway (TH) 50 in Castle Rock and Hampton Townships and the City of Hampton; and

WHEREAS, the purpose of the project is to improve safety, operations, and pavement quality; and

WHEREAS, to address the purpose of the project, the County is proposing to reconstruct CSAH 78 from CSAH 79 to 650 feet east of CSAH 47, resurface CSAH 78 from 650 feet east of CSAH 47 to TH 50, improve drainage, and add turn lanes; and

WHEREAS, construction is scheduled to begin in May of 2021 and be completed in November of 2021; and

WHEREAS, pursuant to advertisement, five bids were received for CP 78-12 on April 20, 2021; and

WHEREAS, the bid of Ims Contracting, LLC in the amount of \$4,719,707.29 was the lowest total responsive and responsible bid received; and

WHEREAS, in accordance with the contract documents, the contractor will be eligible for up to \$60,000 in incentives for constructing quality pavements that maximize pavement life; and

WHEREAS, staff recommends awarding the bid to Ims Contracting, LLC.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby awards the bid to and authorizes the Physical Development Director to execute a contract with Ims Contracting, LLC for construction of County Project 78-12 for a total contract amount of \$4,719,707.29 based on their low bid, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the contract amount may be increased by up to \$60,000 for additional costs of incentives met by Ims Contracting, LLC as specified in the contract documents.

May 4, 2021

21-239

Authorization To Execute Agreement No. 1036288 For Cooperative Construction With Minnesota Department Of Transportation And City Of South St. Paul For County Project 56-12

WHEREAS, Dakota County, the Minnesota Department of Transportation (MnDOT), and the City of South St. Paul (City) are partnering on County Project (CP) 56-12; and

WHEREAS, CP 56-12 is the improvement of Concord Street from I-494 to Annapolis Street in South St. Paul; and

WHEREAS, by Resolution No. 20-300 (June 30, 2020), the County Board authorized the execution of an agreement with MnDOT and the City to transfer jurisdiction of Concord Street from MnDOT to both the City and County; and

WHEREAS, a cooperative construction agreement is needed between MnDOT and the City to outline terms, conditions, and responsibilities as it pertains to construction and maintenance of Concord Street; and

WHEREAS, construction activities pertaining to the revision of the signals to meet Americans with Disabilities Act requirements is proposed at the interchange of I-494 and Concord Street; and

WHEREAS, MnDOT has jurisdiction of I-494 and will retain jurisdiction over the interchange at I-494 and Concord Street; and

WHEREAS, a separate agreement is needed between MnDOT, the County, and the City to outline terms, conditions, and responsibilities for the construction and maintenance of signals at the interchange; and

WHEREAS, the County's inclusion in Agreement No. 1036288 is limited to the maintenance of the signals at the interchange.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute Agreement No. 1036288 with the Minnesota Department of Transportation and the City of South St. Paul for cooperative construction on County Project 56-12, subject to approval by the County Attorney's Office as to form.

21-240

Approval Of Final Plats Recommended By Plat Commission

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

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

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

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

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

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

LAUNCH PARK THIRD ADDITION Lakeville

May 4, 2021

21-241

Approval Of Dakota County Fiscal Year 2021 Annual Action Plan For Community Development Block Grant, HOME Investment Partnerships, And Emergency Solutions Grant Programs

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

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

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

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

WHEREAS, HUD requires the development and submission of the Dakota County Fiscal Year (FY) 2021 Annual Action Plan that outlines the strategies and objectives and proposes the allocation of the annual CDBG, HOME, and ESG funds to local governments and housing providers in Dakota County; and

WHEREAS, CDA staff has worked with participating communities to identify CDBG, HOME, and ESG activities for FY 2021; and

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

WHEREAS, HUD released the grant amounts for the three entitlement programs for FY 2021 on February 25, 2021; and

WHEREAS, the Dakota County FY 2021 CDBG allocation is \$1,910,573; the Dakota County FY 2021 HOME allocation is \$988,226 (Consortium total of \$3,275,274) including program income; and the Dakota County FY 2021 ESG allocation is \$164,454; and

WHEREAS, CDA staff recommends allocating FY 2021 CDBG funds to 25 eligible activities for the 12 cities with populations more than 10,000 with direct allocation funding; one eligible activity with competitive pool funds for cities and townships with populations less than 10,000; and five Countywide activities; and

WHEREAS, CDA staff recommends allocating FY 2021 HOME funds to three eligible activities as follows: a future affordable housing development at a site to be determined (70%), Community Housing Development Organization activities (15%), and grant administration (15%); and

WHEREAS, CDA staff recommends allocating FY 2021 ESG funds to four eligible activities as follows: rapid re-housing activities (76%), emergency shelter operations (16%), Homeless Management Information Systems (0.5%) and grant administration (7.5%); and

WHEREAS, Dakota County is required to submit the Dakota County FY 2021 Annual Action Plan to HUD by May 26, 2021; and

WHEREAS, HUD requires the designation of a certifying officer for environmental reviews associated with the CDBG, HOME, and ESG activities, and HUD also requires that environmental reviews associated with Capital

May 4, 2021

Fund activities be signed by the highest-ranking County official or designee for CDBG, HOME, and ESG; and

WHEREAS, HUD requires a public notice be published and a public hearing be held to receive comments and inform the public on the Dakota County FY 2021 Annual Action Plan; and

WHEREAS, the Dakota County Board of Commissioners conducted a public hearing on April 20, 2021, to receive comments on the Dakota County FY 2021 Annual Action Plan, and no comments were received at the hearing nor were comments submitted to the CDA.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners approves the Dakota County Fiscal Year 2021 Annual Action Plan for submission to the Department of Housing and Urban Development, and hereby approves the 2021 Residential Anti-Displacement and Relocation Assistance Plan and the 2021 Citizen Participation Plan; and

BE IT FURTHER RESOLVED, That the County Board Chair is hereby authorized to sign the application to the Department of Housing and Urban Development for Fiscal Year 2021 Community Development Block Grant, HOME Investment Partnerships, and Emergency Solutions Grant Programs and the Local Government and Specific Community Development Block Grant, HOME Investment Partnerships, and Emergency Solutions Grant Certifications; and

BE IT FURTHER RESOLVED, That the County Board Chair is hereby authorized to execute Fiscal Year 2021 Community Development Block Grant, Emergency Solutions Grant, and HOME Investment Partnerships agreements with the Department of Housing and Urban Development for the acceptance of Community Development Block Grant funds totaling \$1,910,573, HOME Investment Partnership funds totaling \$3,275,274 for the Consortium and \$988,226 to Dakota County including program income, and Emergency Solutions Grant funds totaling \$164,454; and a subrecipient agreement with the Dakota County CDA for the administration of the Community Development Block Grant, HOME Investment Partnerships, and Emergency Solutions Grant Programs, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the Dakota County Community Development Agency Director of Community and Economic Development is hereby designated as the certifying officer for environmental reviews for the Community Development Block Grant, HOME Investment Partnerships, Emergency Solutions Grant, and Capital Fund Programs.

Public Services And Revenue

21-242

Approval Of Application For Exempt Permit For Whitetails Unlimited To Hold Raffle

WHEREAS, gambling licenses are issued by the Minnesota Gambling Control Board; and

WHEREAS, the Minnesota Gambling Control Board requires County approval of an application when the gambling premises are located in a township; and

WHEREAS, an application for an Exempt Permit to hold a raffle at Gopher Hills Golf Course Event Center in Douglas Township has been submitted by Whitetails Unlimited; and

WHEREAS, the Dakota County Board of Commissioners is the local governing body having jurisdiction over the proposed gambling activity; and

WHEREAS, the attendance will be limited in adherence to Minnesota's Emergency Executive Order 21-11 for occupancy guidelines for indoor seated events and will adhere to all mandates within any Executive Order in effect at the time of the event due to the on-going COVID-19 pandemic.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the application from Whitetails Unlimited to hold an Exempt Permit for a raffle at Gopher Hills Golf Course Event

May 4, 2021

Center in Douglas Township on June 5, 2021.

REGULAR AGENDA

County Board/County Administration

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.

This was Bonnie Brueshoffs' last meeting as Director of Public Health. Bonnie is retiring from Dakota County after 27 years. The Board and staff thanked Bonnie for her dedicated and hard work with the County and gave special thanks for her time and effort in working through the recent COVID-19 pandemic. Gina Adasiewicz will be fulfilling the Director of Public Health position.

Operations, Management And Budget

Update And Discussion On Recommendations For Next Phase In County's Workplace Planning

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.

The County has identified three phases for workplace planning:

- Phase I: April 15 – May 31, 2021
- Phase II: June 1 – September 6, 2021
- Phase III: After September 6, 2021

Additional information will be provided at future meetings.

Closed Executive Session

21-243

Settlement Authority For Acquisition Of Property Rights Necessary For County Project 88-20A

This item did not go into closed session.

Motion: Mike Slavik

Second: Kathleen A. Gaylord

WHEREAS, Dakota County (County) and Randolph Township are proceeding with County Project 88-20A in Randolph Township; and

WHEREAS, the Project includes the segment of County State Aid Highway (CSAH) 88 from Trunk Highway (TH) 52 to TH 56; and

WHEREAS, the purpose and need for the Project is to improve safety, operations, and capacity along the Project corridor; and

WHEREAS, to address the purpose and need for the Project, the County is proposing to reconstruct CSAH 88 to address pavement quality, safety, and operational issues by improving drainage, modifying access, improve sight angles and add turn lanes; and

WHEREAS, the County is the lead agency for the Project, with right of way acquisition necessary in 2021 for construction to begin in 2022; and

WHEREAS, by Resolution Nos. 21-093 (February 16, 2021), the County Board of Commissioners authorized the

May 4, 2021

acquisition of certain properties identified in the resolution and Dakota County Road Right of Way Map No. 487 and initiation of quick-take eminent domain pursuant to Minn. Stat. § 117.042, if necessary, to construct the recommended improvements; and

WHEREAS, to construct the recommended improvements, Dakota County must acquire property from Randolph United Methodist Church, ("Landowner") identified in Dakota County Right of Way Map 487 as Parcel 18; and

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

WHEREAS, the Landowner 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 Landowner \$78,100 and

WHEREAS, the County Attorney and Transportation Department 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; and

WHEREAS, on April 29, 2021, the Dakota County Attorney's Office provided a confidential memorandum to the Dakota County Board of Commissioners explaining the legal strategy accomplishing Dakota County's acquisition of the property rights identified in Dakota County Right of Way Map No. 487 as Parcels 18, 19, 21, 22, and 61; and

WHEREAS, after review of the information contained in the confidential memorandum the County Board determined a closed session discussion with the County Attorney's Office was not required prior to providing settlement direction.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the County Attorney's Office to proceed with settlement negotiations on the acquisition of property rights for County Project 88-20A consistent with the settlement authority requested in the confidential memorandum to the County Board; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners approves the acquisition of property from Randolph United Methodist Church, identified in Dakota County Right of Way Map 487 as Parcel 18 for \$78,100 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

21-244

Settlement Authority For Acquisition Of Certain Property Rights Necessary For County Project 32-87

This item did not go into closed session.

Motion: Joe Atkins

Second: Laurie Halverson

WHEREAS, to provide a safe and efficient transportation system, Dakota County and the City of Eagan (City) are proceeding with County Project (CP) 32-87; and

WHEREAS, CP 32-87 is the reconstruction of County State Aid Highway (CSAH) 32 (Cliff Road) from CSAH 43 (Lexington Avenue) to 0.2 miles east of Dodd Road in the City of Eagan; and

WHEREAS, Dakota County is the lead agency for CP 32-87 with right of way acquisition necessary in 2021 for construction to begin in winter 2021; and

May 4, 2021

WHEREAS, by Resolution No. 21-099 (February 16, 2021), the Dakota County Board of Commissioners authorized the acquisition of certain properties identified in the resolution and initiation of quick-take eminent domain pursuant to Minn. Stat. § 117.042, if necessary, to construct the recommended improvements; and

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

WHEREAS, the Landowners rejected the respective offers seeking additional damages for costs related to the acquisitions; and

WHEREAS, on April 30, 2021, the Dakota County Attorney's Office provided a confidential memorandum to the Dakota County Board of Commissioners explaining the legal strategy accomplishing Dakota County's acquisition of the property rights identified in Dakota County Right of Way Map No. 487 as Parcels 14, 16, 18, 25, and 26; and

WHEREAS, after review of the information contained in the confidential memorandum the Dakota County Board of Commissioners determined a closed session discussion with the County Attorney's Office was not required prior to providing settlement direction.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the County Attorney's Office to proceed with settlement negotiations on the acquisition of property rights for County Project 32-87 consistent with the settlement authority requested in the confidential memorandum to the County Board.

Ayes: 7

Nays: 0

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:

- Thank you to retiring Public Health Director Bonnie Brueshoff for 27 years of service.
- Thank you to retiring Parks Director Steve Sullivan for 28 years of service.
- American Rescue Plan Update – More discussion at June 8, 2021 County Board meeting.

Information

See Attachment A - Future Board Meetings And Other Board Activities

21-245

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 9:48 a.m.

Mary Liz Holberg
Chair

ATTEST

Matt Smith
County Manager