

AGENDA

DAKOTA COUNTY Physical Development Committee of the Whole

August 11, 2020

9:00 AM

View Live Broadcast:

<https://www.co.dakota.mn.us/Government/BoardMeetings/PDCommittee/Pages/default.aspx>

If you wish to speak to an agenda item or an item not on the agenda, please notify the Clerk to the Board via email at CountyAdmin@co.dakota.mn.us

Emails must be received by 7:30am Tuesday, August 11, 2020.

Instructions on how to participate will be sent to anyone interested.

1. Call To Order And Roll Call

Note: Any action taken by this Committee of the Whole constitutes a recommendation to the County Board.

2. Audience

Anyone wishing to address the County Board on an item not on the agenda or an item on the consent agenda may send comments to CountyAdmin@co.dakota.mn.us

3. Approval Of Agenda (Additions/Corrections/Deletions)

4. Consent Agenda

4.1 Approval Of Minutes Of Meeting Held On July 7, 2020

4.2 Physical Development Administration - Scheduling Of Public Hearing For Program Year 2019 Consolidated Annual Performance And Evaluation Report

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

4.4 Physical Development Administration - Planning Commission Update

4.5 Transportation - 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

4.6 Parks, Facilities, And Fleet Management - Authorization To Submit Application To Minnesota Department Of Natural Resources For Conservation Partners Legacy Grant For Restoration Of Areas Within Spring Lake Park Reserve

4.7 Physical Development Administration - Update On CARES Act Allocations For Community Development Block Grant And Emergency Solutions Grant Programs

5. Regular Agenda

5.1 Physical Development Administration - Discussion On Veterans Advisory Group Role And Selection For Veterans Memorial Greenway Interpretive Plan

5.2 Physical Development Administration - Review Of Spring Lake Park Reserve Master Plan And Natural Resources Management Plan Draft Concept

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5.3 *Environmental Resources* - Approval Of Land Conservation Plan For Dakota County

5.4 *Physical Development Administration* - Authorization To Place \$40 Million Bond Referendum On November 3, 2020 Ballot And Approval Of Ballot Language

6. Division Director Update

7. Adjournment

For more information, please call 952-891-7030
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Public Comment can be sent to CountyAdmin@co.dakota.mn.us

**DAKOTA COUNTY
PHYSICAL DEVELOPMENT COMMITTEE OF THE WHOLE**

Meeting Minutes

**July 7, 2020
Video Conferencing**

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: Matt Smith, County Manager, Tom Donely, Assistant County Attorney, Steve Mielke, Physical Development Director, and Liz Hansen Administrative Coordinator.

The meeting was called to order at 9:00 a.m. by Chair Thomas A. Egan.

Audience

Commissioner Egan asked if there was anyone in audience that wished to address the Physical Development Committee of the Whole on an item not on the agenda or an item on the consent agenda. Chair Egan noted that all public comments can be sent to CountyAdmin@co.dakota.mn.us. No one came forward.

Approval Of Agenda (Additions/Corrections/Deletions)

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

Consent Agenda

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

4.1 Approval Of Minutes

4.2 Authorization To Release For Public Review Final Draft Of Natural Resource Management Plan For Whitetail Woods Regional Park

WHEREAS, by Resolution No. 12-107 (February 28, 2012), the Dakota County Board (the Board) adopted a Master Plan for Whitetail Woods Regional Park (WWRP) in which was identified a conceptual vision for general vegetative cover type within WWRP; and

WHEREAS, alternatively, the approved Natural Resource Management System Plan (NRMSP) (2017) recommended that a Natural Resource Management Plan (NRMP) be developed for each County Park and Greenway unit, in which NRMPs would establish goals, priorities, prioritized work plans, and associated costs for the management of the vegetation, water resources, and wildlife within each unit; and

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WHEREAS, Dakota County Parks staff is currently preparing a NRMP for WWRP; and

WHEREAS, on October 16, 2018, an informational update on Phase 1 regarding research and findings of the NRMP for WWRP was received by the Board; and

WHEREAS, on December 3, 2019, another informational update on Phase 2 of the NRMP was received by the Board that included vision, goals, and preliminary recommendations; and

WHEREAS, the project has advanced with the preparation of a final draft that includes a Work Plan for both 5 and 20 years, of which includes key natural resource management tasks and their associated estimated costs; and

WHEREAS, the work plan includes key natural resource management tasks and their associated estimated costs, a summary of the key points of which includes the following:

- The park was divided into Work Units
- Each Work Unit was evaluated for natural resource management needs
- Each Work Unit was assigned management tasks to be performed and a projected schedule
- Work Plans included estimated costs for each task; costs were based on recent quotes and bids for similar tasks from other County natural resource projects; and

WHEREAS, primary tasks include enhancements and maintenance such as tree removal and thinning, prescribed burning; establishing prairie and savanna; regenerating oak woodlands, restoring wetlands, diversifying Empire Lake vegetation, over-seeding uplands to enhance species diversity, continuing to control exotic and invasive plant species, increasing diversity of woodland and forest understories, diversifying conifer stands, performing wildlife conservation projects, assessing, monitoring, and evaluating; and WHEREAS, on May 28, 2020, the Planning Commission reviewed the final draft plan of the NRMP for WWRP and, although they had several questions, they supported it and approved its content and direction. They also unanimously recommended that the Board release it for a 30-day public review period.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota Board of Commissioners authorizes the final draft Natural Resources Management Plan for Whitetail Woods Regional Park be released to public review for a period of 30 days.

4.3 Authorization To Execute Joint Powers Agreement With City Of West St. Paul For Final Design Of River To River Greenway: Garlough And Marthaler Parks Segment

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

WHEREAS, by Resolution No. 16-177 (March 22, 2016), the County Board authorized a Joint Powers Agreement with the City of West St. Paul for a feasibility study of the River to River Greenway: Garlough and Marthaler Parks Segment; and

WHEREAS, the River to River Greenway: Garlough and Marthaler Parks Segment does not currently meet regional design standards; and

WHEREAS, final design is required to complete the realignment and reconstruction of the River to River Greenway through Garlough and Marthaler Parks; and

WHEREAS, the final design is estimated at \$75,000; and

WHEREAS, Dakota County will contribute up to \$60,000 towards the final design; and

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WHEREAS, the City of West St. Paul will lead the design and provide up to \$15,000.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute a joint powers agreement for an amount not to exceed \$60,000 with the City of West St. Paul for the River to River Greenway: Garlough and Marthaler Parks Segment final design, subject to approval by the County Attorney's Office as to form.

4.4 Update On County State Aid Highway 23 Pedestrian Bridge At 140Th Street (County Project 99-12) In City Of Apple Valley

This item was on the agenda for informational purposes only.

4.5 Planning Commission Update

This item was on the agenda for informational purposes only.

4.6 Authorization To Execute Cost Share Agreement With Xcel Energy For Construction Of Caisson Retaining Wall At Byllesby Dam And Xcel Energy Substation

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

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

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

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

WHEREAS, by Resolution. No. 15-532 (October 20, 2015), the Dakota County Board of Commissioners authorized execution of a contract with Ayres Associates, Inc., for engineering design services to complete turbine and powerhouse upgrades for the Byllesby Dam Water-to-Wire Redevelopment Project; and

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

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

WHEREAS, as a component of the Project, staff and Ayres Associates, Inc., have developed plans and specifications to construct a caisson retaining wall to support a portion of the Byllesby Dam powerhouse and the adjacent Xcel Energy substation; and

WHEREAS, staff has negotiated a cost-share agreement with Xcel Energy for the construction of the shared caisson retaining wall which has been calculated based on the engineer's construction estimate and benefits to

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the County and Xcel Energy; and

WHEREAS, the costs for the caisson retaining wall are estimated to be \$936,000; and

WHEREAS, under the proposed cost-share agreement, Xcel Energy's share of the project's costs is \$350,000 and Dakota County's share is \$586,000; and

WHEREAS, staff has evaluated the proposed cost-share agreement and found it to be sound and justified; and

WHEREAS, the current balance of the Byllesby Dam CIP Budget is sufficient to cover the cost of the temporary easement agreement; and

WHEREAS, the project budget will be updated to include the additional amount of contribution from Xcel Energy toward the project.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute a cost-share agreement with Xcel Energy for the purpose of constructing a caisson retaining wall at the Byllesby Dam and Xcel Energy substation as a component of the Byllesby Dam Water-to-Wire Redevelopment Project, subject to the County Attorney's Office as to form.

4.7 Authorization To Execute Temporary Access Easement Agreement With Xcel Energy For Byllesby Substation

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

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

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

WHEREAS, staff and consultants have finalized the engineering design documents and had begun work to enter initial phases of construction for the project; and

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

WHEREAS, during construction, access for the necessary crane and other large equipment has become constrained by the adjacent Xcel Energy substation; and

WHEREAS, staff has negotiated with Xcel Energy for the conveyance of a temporary access agreement to accommodate the construction project; and

WHEREAS, the costs associated with the temporary access easement agreement are \$24,000; and

WHEREAS, staff has evaluated the costs identified by Xcel Energy for the access easement and temporary relocation of facilities to be sound and justified; and

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WHEREAS, sufficient funding for the temporary access easement agreement has been identified in the Byllesby Dam CIP budget.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute an agreement with Xcel Energy to provide for the temporary access to the Xcel Energy properties necessary to accommodate the Byllesby Dam Water to Wire Redevelopment Project.

Regular Agenda

5.1 Authorization To Release Draft Of River To River Greenway Natural Resource Management Plan For Public Comment

Christian Klatt, Natural Resource Specialist and Tom Lewanski, Natural Resources Manager presented this item and responded to questions.

On a motion by Commissioner Kathleen A. Gaylord, seconded by Commissioner Chris Gerlach, the following resolution was unanimously recommended to the County Board:

WHEREAS, the County Board adopted the Natural Resources Management System Plan, which determined that Natural Resource Management Plans (NRMPs) would be developed for all County Parks, Greenways, and Easements; and

WHEREAS, the River to River Greenway NRMP is the first of these Greenway NRMPs to be developed, and it addresses natural resource management on non-County lands in proximity to the Greenway; and

WHEREAS, a Technical Advisory Committee consisting of staff from host communities, other agencies, and major landowners convened on July 25, 2019, to discuss future development and natural resource management on these lands; and

WHEREAS, the cost-share guidelines were presented to the County's City Administrators and Managers during a meeting on June 26, 2020; and

WHEREAS, the Dakota County Planning Commission reviewed the River to River Greenway NRMP Study Area and initial findings on October 24, 2019, then reviewed the recommendations, restoration work plan, and proposed cost-share structure on February 27, 2020, and recommended the Draft be released to the public.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the release of the draft River to River Greenway Natural Resources Management Plan for a 30-day public review and comment period commencing July 14, 2020.

5.2 Authorization To Execute Contract With Boldt Company, LLC, For Construction Manager/General Contractor Services For Byllesby Dam Water-To-Wire Development Project

Josh Petersen, Sr. Water Resources Engineer, presented this item and responded to questions. Steve Mielke, Physical Development Director, was in the audience and also spoke to this item.

On a motion by Commissioner Joe Atkins, seconded by Commissioner Mike Slavik, the following resolution was unanimously recommended to the County Board:

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

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

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

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

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

WHEREAS, due to the many complexities in the design, construction, and installation of the water-to-wire facilities, including new turbines and generators to maximize the electric power output of the dam in the future, the County Board, by Resolution No. 18-538 (October 23, 2018), approved utilizing a special type of contractor relationship that can provide both construction management and general contractor services on the project and allowed staff to develop and solicit a request for qualification for services for the redevelopment of the hydropower site in accordance Minnesota Statute section 103G.535; and

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

WHEREAS, Boldt Construction, LLC, is a competent construction company that has several years of similar project experience to complete the project, has finalized detailed pricing and scheduling for construction, and is requesting to complete the construction project in two phases; and

WHEREAS, the award of this contract is for the initial phase of work including mobilization, site preparation, concrete mass fill for dam structure stability, and procurement of items with long lead times; and

WHEREAS, staff and the consultant have reviewed their estimate and found it to be sound and within 10 percent of the engineer's estimate.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute a contract with Boldt Company, LLC, to provide Construction Manager /General Contractor services for the Byllesby Dam Water-to-Wire Redevelopment Project in the amount not to exceed \$6,058,368.06, subject to the County Attorney's Office as to form.

5.3 Authorization To Execute Agreement No. 1036814 With Mndot For Cooperative Construction Agreement For River To River Greenway – Robert Street Crossing (County Project 98-13) In City Of West St. Paul

Matt Parent, Sr. Project Manager, and Taud Hoopingarner, Parks, Facilities, and Fleet Management Director presented this item and responded to questions.

On a motion by Commissioner Kathleen A. Gaylord, seconded by Commissioner Joe Atkins, the following resolution was unanimously recommended to the County Board:

WHEREAS, Dakota County (County) and the City of West St. Paul are partnering on the River to River Greenway – Robert Street Crossing (Project); and

WHEREAS, the contract is for preliminary and final design engineering and public engagement process for developing a pedestrian underpass and trail connections of Trunk Highway 3 (Robert Street) in the City of West

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St. Paul; and

WHEREAS, the County is the lead agency for the Project with construction scheduled for summer 2020; and

WHEREAS, an agreement for construction activities to take place within the Minnesota Department of Transportation (MnDOT) right of way is necessary for the County to complete the Project; and

WHEREAS, the agreement provides for the use of MnDOT right of way for construction of the project and identifies project construction cost, ownership, and maintenance as the responsibility of the County; and

WHEREAS, staff recommends execution of Agreement No. 1036814 with MnDOT for construction of the Project.

NOW, THEREFORE, BE IT RESOLVED, that the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute Agreement No. 1036814 with the Minnesota Department of Transportation for construction and resulting maintenance of CP 98-13 subject to approval by the County Attorney's Office as to form.

5.4 Receive An Update On Land Conservation Plan For Dakota County

Al Singer, Farmland Natural Program Manager, presented this item and responded to questions. Susan Schmidt, State Director of Minnesota and the Northwoods of Wisconsin and Michigan and Will Abberger, Director of the Trust for Public Land's Conservation Finance Service, were also in attendance and presented this item. This item was on the agenda for informational purposes only.

Based on the discussion, the Physical Development Committee of the Whole does not wish to move forward with a ballot question until the draft plan is refined further.

In response to the concerns of Empire Township, staff will continue to refine how we look at those conservation areas and will remove the areas of concern expressed from the preliminary conservation focus area. Staff will also continue to revise the draft Land Conservation Plan.

Division Director Update

Steve Mielke, Physical Development Division Director, provided the committee with a Division Update.

Adjournment

On a motion by Commissioner Chris Gerlach, seconded by Commissioner Kathleen A. Gaylord, the meeting was adjourned at 11:01 a.m.

Respectfully submitted,

Liz Hansen

Liz Hansen
Administrative Coordinator
Physical Development Division

DAKOTA COUNTY PHYSICAL DEVELOPMENT COMMITTEE

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

Meeting Date: 8/11/2020	Fiscal/FTE Impact:
Item Type: Consent-Action	<input checked="" type="checkbox"/> None <input type="checkbox"/> Other
Division: Physical Development	<input type="checkbox"/> Current budget <input type="checkbox"/> Amendment requested
Department: Physical Development Administration	<input type="checkbox"/> New FTE(s) requested
Contact: Stwora, Erin	Board Goal: A great place to live
Contact Phone: (952) 891-7153	Public Engagement Level: N/A
Prepared by: Dykes, Maggie	

PURPOSE/ACTION REQUESTED

Schedule a public hearing for September 22, 2020, at 9:00 a.m. regarding the Program Year 2019 Consolidated Annual Performance and Evaluation Report (CAPER) to be submitted to the U.S. Department of Housing and Urban Development (HUD).

SUMMARY

The Dakota County Community Development Agency (CDA) administers the federal Community Development Block Grant (CDBG), HOME Investment Partnerships (HOME), and Emergency Solutions Grant (ESG) Programs on behalf of Dakota County as the grantee. The CDBG, HOME, and ESG Programs receive annual grants in amounts determined by the U.S. Congress for housing and community development activities. The use of funds is guided through a Five-Year Consolidated Plan, which outlines the County's strategies and objectives and is reviewed and approved by the Dakota County Board of Commissioners (Board). Prior to each program year, an Annual Action Plan is also reviewed and approved by the Board. Together, these documents serve as the planning documents allocating CDBG, HOME, and ESG funds to local governments and housing providers via approved activities. The activities must align with the strategies and objectives identified in the Five-Year Consolidated Plan.

Per federal administrative rule 24 CFR 91.520, the federal government requires the CAPER to be submitted to HUD no later than 90 days after the end of the program year. The year-end for the Dakota County CDBG, HOME, and ESG Programs was June 30, 2020, requiring submission of the CAPER no later than September 28, 2020. The CAPER is an evaluation of the prior program year, detailing financial expenditures, persons assisted, and activity outcomes. The document also details progress of the CDA, local governments, and housing providers in implementing the housing and community development strategies, projects, and activities, as identified in the Annual Action Plan.

The CAPER must be available for citizens to comment on before its submission to HUD. The draft CAPER report will be available for review 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. A public hearing notice (Attachment A) will be placed in the *Star Tribune* on September 10, 2020, and also on the CDA and Dakota County websites.

RECOMMENDATION

CDA and County staff recommend a public hearing be scheduled for 9:00 a.m. on September 22, 2020, 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 CAPER.

EXPLANATION OF FISCAL/FTE IMPACTS

None.

Supporting Documents:

Attachment A: Draft Public Hearing Notice

Previous Board Action(s):

RESOLUTION

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

County Manager’s Comments:

- Recommend Action
- Do Not Recommend Action
- Reviewed---No Recommendation
- Reviewed---Information Only
- Submitted at Commissioner Request

Reviewed by (if required):

- County Attorney’s Office
- Financial Services
- Risk Management
- Employee Relations
- Information Technology
- Facilities Management



County Manager

NOTICE TO ANNOUNCE PUBLIC HEARING

Notice is hereby given that a public hearing will be held by the Dakota County Board of Commissioners on September 22, 2020 at 9:00 a.m. in the Board Room of the Dakota County Administration Center, 1590 West Highway 55, Hastings, MN, or via telephone or other electronic means if necessary due to the ongoing COVID-19 pandemic for the purpose of receiving comments from the general public concerning the Dakota County HOME Consortium 2019 Consolidated Annual Performance and Evaluation Report (CAPER). The CAPER reviews the performance of the Dakota County HOME Consortium in meeting the housing, community, and economic development needs as outlined by the Consortium in the 2015-2019 Dakota County Consortium Consolidated Plan and the 2019 Dakota County Consortium Action Plan.

The draft CAPER report will be available for citizen review through September 22, 2020 on the CDA's website at www.dakotacda.org, on the Dakota County website at www.dakotacounty.us, and the public may request written copies of the CAPER by contacting the CDA at its offices at 1228 Town Centre Drive, Eagan, MN, or by contacting Kellie Engelman at kengelman@dakotacda.state.mn.us

If you would like to submit comments after reviewing the CAPER, please send them in writing to the Dakota County CDA, attention Kellie Engelman, 1228 Town Centre Drive, Eagan, MN, 55123; or by Fax 651-675-4444. Persons who wish to testify at the public hearing are requested to contact Kellie Engelman at the address listed above, or via email kengelman@dakotacda.state.mn.us; via telephone at 651-675-4468; Fax at 651-675-4444; or MN Relay Service: 1-800-627-3529 or 711; prior to 4:30 p.m. on Wednesday, September 18, 2020. If you require special accommodations, please contact the CDA at least a week before the hearing.

DAKOTA COUNTY PHYSICAL DEVELOPMENT COMMITTEE

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

Meeting Date: 8/11/2020	Fiscal/FTE Impact:
Item Type: Consent-Action	<input checked="" type="checkbox"/> None <input type="checkbox"/> Other
Division: Physical Development	<input type="checkbox"/> Current budget <input type="checkbox"/> Amendment requested
Department: Environmental Resources	<input type="checkbox"/> New FTE(s) requested
Contact: Fischer, Georg	Board Goal: A healthy environment with quality natural areas
Contact Phone: (952) 891-7554	Public Engagement Level: N/A
Prepared by: Behan, Michael	

PURPOSE/ACTION REQUESTED

Authorize submission of a Clean Water Fund grant application to the Minnesota Board of Water and Soil Resources (BWSR) for stabilization of actively eroding ravines within Spring Lake Park Reserve (SLPR) and, if awarded, authorize the Physical Development Director to execute grant agreements.

SUMMARY

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. Two large ravines within Dakota County's Spring Lake Park Reserve are actively eroding, which has resulted in sedimentation damages to public and private property, including natural resource features within SLPR and the Mississippi River. The Clean Water Fund is a state grant program administered by BWSR and is made available to local government units annually via a competitive grant application process. In 2020, staff developed preliminary project plans and estimated water quality benefits of the proposed projects and cost estimates for a potential Clean Water Fund grant application to BWSR.

The proposed improvements to alleviate ravine erosion include tree removals, earthwork, riprap, storm sewer, and vegetation restoration. Staff has drafted a Clean Water Fund application to BWSR in the amount of \$452,250.00 to implement the ravine stabilization improvements. The Clean Water Fund's grant program requires a minimum 25 percent cash match of the grant amount, which is \$113,062.50, if the entire grant request is awarded. It is anticipated that the grants will be awarded in December 2020, with grant agreements executed in spring 2021. 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. Grantees are required to implement their projects within a three-year window.

RECOMMENDATION

Staff recommends that the Board authorize staff to submit a grant application to BWSR for Ravine Stabilization Improvements and authorize the Physical Development Director to execute agreements with BWSR, if awarded.

EXPLANATION OF FISCAL/FTE IMPACTS

The grant application includes \$113,062.50 in proposed grant matching funds. Sufficient funding is available in the 2020 Parks General Grant Match line item. If Dakota County is awarded the grant, staff will request the County Board amend the 2021 Parks Capital Improvement Program budget by the amount of the award to reflect the revenues and expenses associated with the grant.

Supporting Documents:

Previous Board Action(s):

RESOLUTION

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.

County Manager's Comments:

- Recommend Action
- Do Not Recommend Action
- Reviewed---No Recommendation
- Reviewed---Information Only
- Submitted at Commissioner Request

Reviewed by (if required):

- County Attorney's Office
- Financial Services
- Risk Management
- Employee Relations
- Information Technology
- Facilities Management

County Manager

DAKOTA COUNTY PHYSICAL DEVELOPMENT COMMITTEE

Planning Commission Update

Meeting Date: 8/11/2020	Fiscal/FTE Impact:
Item Type: Consent-Information	<input checked="" type="checkbox"/> None <input type="checkbox"/> Other
Division: Physical Development	<input type="checkbox"/> Current budget <input type="checkbox"/> Amendment requested
Department: Physical Development Administration	<input type="checkbox"/> New FTE(s) requested
Contact: Chatfield, Kurt	Board Goal: Excellence in public service
Contact Phone: (952) 891-7022	Public Engagement Level: N/A
Prepared by: Chatfield, Kurt	

PURPOSE/ACTION REQUESTED

Receive an update on items addressed by the Planning Commission.

SUMMARY

The Dakota County Planning Commission meeting was held on July 23, 2020. The format of the meeting was remote to protect the health and safety of Planning Commissioners, the public, and staff during the COVID-19 pandemic. The meeting minutes are attached (Attachment A). The Planning Commission addressed the following topics:

Spring Lake Park Reserve Master Plan and Natural Resources Management Plan

The Planning Commission reviewed the preferred concept for the Spring Lake Park Reserve. Planning Commissioners discussed future recreational improvements and natural resources restoration priorities in the preferred concept for the park.

Dakota County Land Conservation Plan

The Planning Commission reviewed public comments on the Dakota County Land Conservation Plan. Staff presented the proposed changes to the plan in response to public comments and direction from the County Board. The Planning Commission recommended that the plan be adopted as modified.

RECOMMENDATION

Information only, no action requested.

EXPLANATION OF FISCAL/FTE IMPACTS

None.

Supporting Documents:

Attachment A: Advisory Committee Minutes

Previous Board Action(s):

RESOLUTION

Information only, no action requested.

County Manager's Comments:

- Recommend Action
- Do Not Recommend Action
- Reviewed---No Recommendation
- Reviewed---Information Only
- Submitted at Commissioner Request

Reviewed by (if required):

- County Attorney's Office
- Financial Services
- Risk Management
- Employee Relations
- Information Technology
- Facilities Management



County Manager

**Virtual Dakota County Planning Commission
Advisory Committee Meeting Minutes**

Date: July 23, 2020

Time: 7:00 p.m. to 9:00 p.m.

Members Present		Staff Present		Others Present		
Jerry Rich	<input checked="" type="checkbox"/>	Barry Graham	<input checked="" type="checkbox"/>	Kurt Chatfield	<input checked="" type="checkbox"/>	Emma Froh (Consultant)
Timothy Tabor	<input checked="" type="checkbox"/>	Ramraj Singh	<input checked="" type="checkbox"/>	Aaron Sather	<input checked="" type="checkbox"/>	Aubrey Tyler (Consultant)
Lori Hansen	<input checked="" type="checkbox"/>	Robert Timmerman	<input checked="" type="checkbox"/>	Liz Hansen	<input checked="" type="checkbox"/>	Maura Rockcastle
Jill Smith	<input checked="" type="checkbox"/>	Nate Reitz	<input checked="" type="checkbox"/>	Lil Leatham	<input checked="" type="checkbox"/>	(Consultant)
Greg Oxley	<input checked="" type="checkbox"/>	Jim Guttman	<input checked="" type="checkbox"/>	Tom Lewanski	<input checked="" type="checkbox"/>	Fred Rozumalski
Amy Hunting	<input type="checkbox"/>	Tony Nelson	<input checked="" type="checkbox"/>	Mary Jackson	<input checked="" type="checkbox"/>	(Consultant)
		Donald Post	<input checked="" type="checkbox"/>	Al Singer	<input checked="" type="checkbox"/>	Barb Farrell
				Georg Fischer	<input checked="" type="checkbox"/>	Adam Muilenburg
						Holly Jenkins

Meeting Called to Order

Time: 7:00 p.m.

By: Chair Hansen

Commissioner Nelson joined the meeting at 7:50 pm.

Public Comment

Three members of the public were present.

Outline of Meeting Format

Chair Hansen stated the need to hold a remote meeting as a result of the COVID-19 Pandemic. Governor Walz declared a peacetime emergency (Emergency Executive Order 20-01) on March 13, 2020, and Extending the COVID-19 Peacetime Emergency (Emergency Executive Order 20-75) on June 12, 2020, and Extending the COVID-19 Peacetime Emergency Declared in Executive Order 20-01 (Emergency Executive Order 20-78_ on July 12, 2020, and Continuing to Safely Reopen Minnesota's Economy and Ensure Safe Non-Work Activities during the COVID-19 Peacetime Emergency (Emergency Executive Order 20-74) on June 5, 2020, which prohibits gatherings of 10 or more people and strongly encourages remote governmental meetings whenever possible. Dakota County Board of Commissioners Chair, Mike Slavik, declared a local state of emergency in Dakota County on March 17, 2020, in response to COVID-19. All County Board Commissioners voted to maintain this order on March 20, 2020.

The Planning Commission met virtually as outlined under Minnesota Statutes section 13D.021.

Approval of agenda

Motion by: Commissioner Smith

Second by: Commissioner Oxley

Vote: Unanimously approved by roll call vote

Approval of minutes (from June 25, 2020 meeting)

Motion by: Commissioner Oxley

Second by: Commissioner Singh

Vote: Unanimously approved by roll call vote.

Item #1: Spring Lake Park Reserve Preferred Concept and PhasingAction / Information

Lil Leatham, Senior Planner, and Tom Lewanski, Natural Resources Manager, provided an informational overview of the Spring Lake Park Reserve's preferred concept and phasing.

Emma Froh, TenXTen Consultant, gave a summary of the public engagement methods and feedback used to prepare the Spring Lake Park Reserve Preferred Concept. Emma described how the public engagement and stakeholder meetings led to priorities and the proposed interpretive framework.

Fred Rozumalski, Barr Engineering Consultant, discussed the natural resources stewardship plan and how the park's natural resources may be restored.

Questions and comments by Commissioners along with responses from staff (italics):

A commissioner stated that public comments indicate a high interest in maintaining the natural environment and that the County should minimize new development in this plan.

Several concerns were stated by commissioners regarding the proposed bison herd. Commissioners raised questions about how the safety of the animals and park visitors will be ensured. They also asked questions about liability, the experience that other agencies have had with bison, the size of the proposed herd, and the amount of land needed for bison to graze. *Staff responded that safety concerns have been reviewed and addressed in coordination with Dakota County's Risk Management Department. As a result of this review there may be places where double fences are needed, mostly to keep people from trying to approach the bison. A parallel study is underway to evaluate the possibility of having a bison herd at Spring Lake Park and the potential size of the herd. This study will address many of the questions that have been raised about bison.*

Commissioners held a general discussion about the prioritization and phasing of improvements for the park. They noted that bison are listed as a high priority and discussed how the relatively large cost of the bison herd and related visitor facilities would delay some of the other improvements that could be made at the park. They discussed the possibility of phasing in the bison herd so that other popular and desired improvements could be made in the near term. *Staff acknowledged the comments made by Commissioners and responded that the implementation schedule for the bison herd may also be influenced by the County's ability to secure external funds and develop external partnerships, making it more difficult to determine the exact timing of when bison may be added to the park.*

Commissioners discussed stakeholder engagement and inquired about whether the MN DNR and Native American Groups had been engaged. The preferred concept shows camp sites on the islands where duck hunting occurs in the fall and the Dakota people should be consulted regarding the proposed facilities in the plan. *Staff responded that they have been working with the Minnesota DNR and that the County and the DNR staff worked together on the previous plan (from 2003) that developed the concept for camp sites on the islands within the Wildlife Management Area (WMA). Staff also responded that they have held three workshops with Dakota representatives and a fourth workshop is scheduled.*

Commissioners requested information about what percentage of the park is currently developed and what percentage is proposed to be developed if this plan were implemented. *Staff responded that the current level of development is 12%, and that level of development would increase to 15% if this concept were fully implemented. The Metropolitan Council's guidance is that Park Reserves should have no more than 20% of their area dedicated to recreational improvements and facilities.*

Commissioners continued their discussion about whether the concept for the park shows too much development or whether the improvements shown are appropriate. There was not consensus, with

some commissioners stating that the concept drawing shows too much development, countered by other commissioners stating that they supported the recreational improvements. Commissioners discussed whether the proposed recreational improvements would impact natural areas or whether they are in locations where there has already been impacts (e.g. observation silo at the old farmstead/maintenance yard). Commissioners discussed their preferences for priority facilities but a consensus wasn't reached.

A commissioner stated that the park should have convenient access points to provide access to the interior trails that are too far for many people to reach from either end. A small parking area could provide this level of access.

A discussion was held about the need to make sure that trail erosion is addressed, and that soft surface trails may be more erodible than hard surface trails because of the park's steep terrain. Will this plan address existing erosion problems? *Staff replied that existing erosion problems on trail segments or in ravines will be identified in the plan but the specific solutions such as re-routing will need to be followed through actions.*

A commissioner stated that Spring Lake Park is a reserve and that it shouldn't have a full range of services like other parks have. The plan for the park should place more emphasis on natural resource restoration and less on recreational improvements.

A commissioner raised a concern around the type of camping that might be proposed in Spring Lake Park and that the campsites need to be small tent camping and limited in some fashion. It was noted that if camping is allowed, the park's operations would become 24 hours.

Comments by the public at the Planning Commission meeting:

Barb Farrell, of the Rosemount Parks and Recreation Commission, stated that she has been favorable toward bison but is less sure now having heard some of the concerns raised by the Planning Commission. She reported that she favored concept plan 2 during the public engagement period primarily because it showed less recreational development of the park.

Holly Jenkins, of Wilderness in the City, provided comments through the chat window in the meeting regarding: the 20% rule from Metro Council is a maximum and not a guideline, concerns about proposed recreational development on wildlife, importance of integrating nature and recreation, a statement that the park is already a 4-season desintation, along with a few questions and request for clarifications about specific facilities that were answered by staff.

Item #2: Land Conservation Plan for Dakota County

Action / Information

Al Singer, Land Conservation Manager, presented the draft Land Conservation Plan for Dakota County to the Planning Commission. Al provided a brief overview of the Plan and summarized comments received from the public and agencies. He described changes that were proposed to the Plan in response to public comment and County Board direction received during the County Board Physical Development Committee meeting on July 7, 2020. Two of those changes included a significant reduction of the proposed preliminary Conservation Focus Area (CFA) in southwestern portion of Empire Township (south of County Highway 66) in response to the township's request and a reduction of agricultural land in other preliminary CFAs, for a 4,457-acre reduction of lands included in the preliminary CFAs.

Georg Fischer, Environmental Resources Director, provided information about the County’s current budget and staffing levels on land conservation as compared to the levels identified in the Plan.

Questions and comments by Commissioners along with responses from staff (italics):

Commissioners stated their support for the plan and recognized the work of staff.

The need for more township engagement was raised, along with a recommendation that staff explore ways to connect with the townships. *Staff responded that the Plan now included a strategy to develop a new committee composed of township representatives and County staff to meet on a semi-annual basis to discuss County land conservation activities, concerns and opportunities which could provide more effective communications and coordination with individual township Board, commissions and residents.*

A commissioner raised a concern that there has been an increased volume of rain. A question was asked if we are looking at parts of Empire Township to return to wetlands as it was before? *Staff responded that this was one of the reasons why the potential wetland resoration basin initiative, totaling 14,000 acres, was included in the Plan and why the area in Empire Township had been identified and was included in the draft CFA.. One of the early priority activities in Plan implementation will be to reach out to landowners of these identified large wetland basins to see if they are interested in working with the County and partners on next steps to determine the feasibility and potential impacts to their and surrounding properties.*

Motion to recommend approval of the Land Conservation Plan by: Commissioner Post
 Second by: Commissioner Tabor
 Vote: Unanimously approved by roll call vote.

Planning Manager Update and County Board Actions

Comments/Notes: Kurt Chatfield, Planning Manager, provided the Planning Commission with an update on the following County Board actions:

- Discussed remote vs. in-person meetings for County Board and Citizen Committees
- Released Whitetail Woods Natural Resource Management Plan (NRMP) for public review
- Released River to River Greenway NRMP for public review
- Authorized agreement with MNDOT to construct River to River tunnel under Robert Street

Upcoming Public Meetings – Community Outreach

CSAH 70 Open House	https://clients.bolton-menk.com/csah70/
CSAH 28 in Inver Grove Heights	https://www.co.dakota.mn.us/Transportation/PlannedConstruction/CR28/Pages/default.aspx
Minnesota River Greenway Fort Snelling Segment	Virtual Open House- https://gis.bolton-menk.com/inputid/?app=greenway Questionnaire- https://arcg.is/1KTP9O
Whitetail Woods Regional Park and River to River	Thursday, August 6 Whitetail Woods Regional Park NRMP from 6:00 to 6:30 P.M. River to River Greenway NRMP from 6:30 to 7:00 P.M. Zoom Link: https://dakotacountymn.zoom.us/j/98557330209?pwd=R3FZWVgwQXpUK0Q2WHJDV1Z5bTgwZz09

Greenway Natural Resource Management Plan open houses	Meeting ID: 985 5733 0209 Password: 924348
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Planning Commissioner Announcements/Updates:

None.

Topics for Next Meeting

- Groundwater Plan
- Whitetail Woods Regional Park NRMP
- River to River Greenway NRMP

Adjourn: 9:05 p.m.

Motion by: Commissioner Reitz

Second: Commissioner Tabor

Vote: Unanimously approved by roll call vote

Next Regular Meeting: Thursday, August 27, 2020, 7:00 p.m., Location, and format to be determined.

DAKOTA COUNTY PHYSICAL DEVELOPMENT COMMITTEE

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

Meeting Date: 8/11/2020
 Item Type: Consent-Action
 Division: Physical Development
 Department: Transportation
 Contact: Krebsbach, Mark
 Contact Phone: (952) 891-7102
 Listen
 Prepared by: Morneau, Joe

Fiscal/FTE Impact:
 None Other
 Current budget Amendment requested
 New FTE(s) requested
 Board Goal: A great place to live
 Public Engagement Level: Level 1 - Inform and Listen

PURPOSE/ACTION REQUESTED

Authorize execution of a joint powers agreement (JPA) with the City of Apple Valley (City) for County Project (CP) 99-12 for the design, construction, and operation of a pedestrian bridge over County State Aid Highway (CSAH) 23 at 140th Street in Apple Valley.

SUMMARY

To provide a safe and efficient transportation system, Dakota County and the City are proceeding with CP 99-12, a pedestrian bridge over CSAH 23 on the north side of 140th Street (Attachment A). Dakota County is the lead agency for the project. The County, in collaboration with City staff, awarded a contract to SEH, Inc., for public involvement, preliminary design, and final design services for the project. County Project 99-12 is scheduled to complete design in 2020, followed by construction in 2022.

Through Capital Improvement Program (CIP) and budget discussions, the City is in support of this project. An agreement with the City is necessary to define project costs and ongoing operating responsibilities once the bridge is constructed.

A grade-separated crossing was programmed for this intersection to address several safety and functional issues stemming from vehicle-pedestrian interactions, including limited visibility between pedestrians in the crosswalk and motorists using the double right turn lanes on westbound 140th Street. Additionally, pedestrian calls for longer walk signals have disrupted signal coordination across intersections along Cedar Avenue leading to delays and backups.

RECOMMENDATION

Staff recommends entering into a JPA with the City to define cost contributions for the design and construction of the pedestrian bridge and operating responsibilities following its completion.

EXPLANATION OF FISCAL/FTE IMPACTS

The 2020 Transportation Sales and Use Tax CIP includes a total project budget of \$4,070,000, including \$370,000 for design work in 2020 (Attachment B). Per County policies, the City will contribute a 15 percent cost-share for each task.

Supporting Documents:

Attachment A: Project area map
Attachment B: Financial summary

Previous Board Action(s):

RESOLUTION

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

County Manager's Comments:

- Recommend Action
- Do Not Recommend Action
- Reviewed---No Recommendation
- Reviewed---Information Only
- Submitted at Commissioner Request

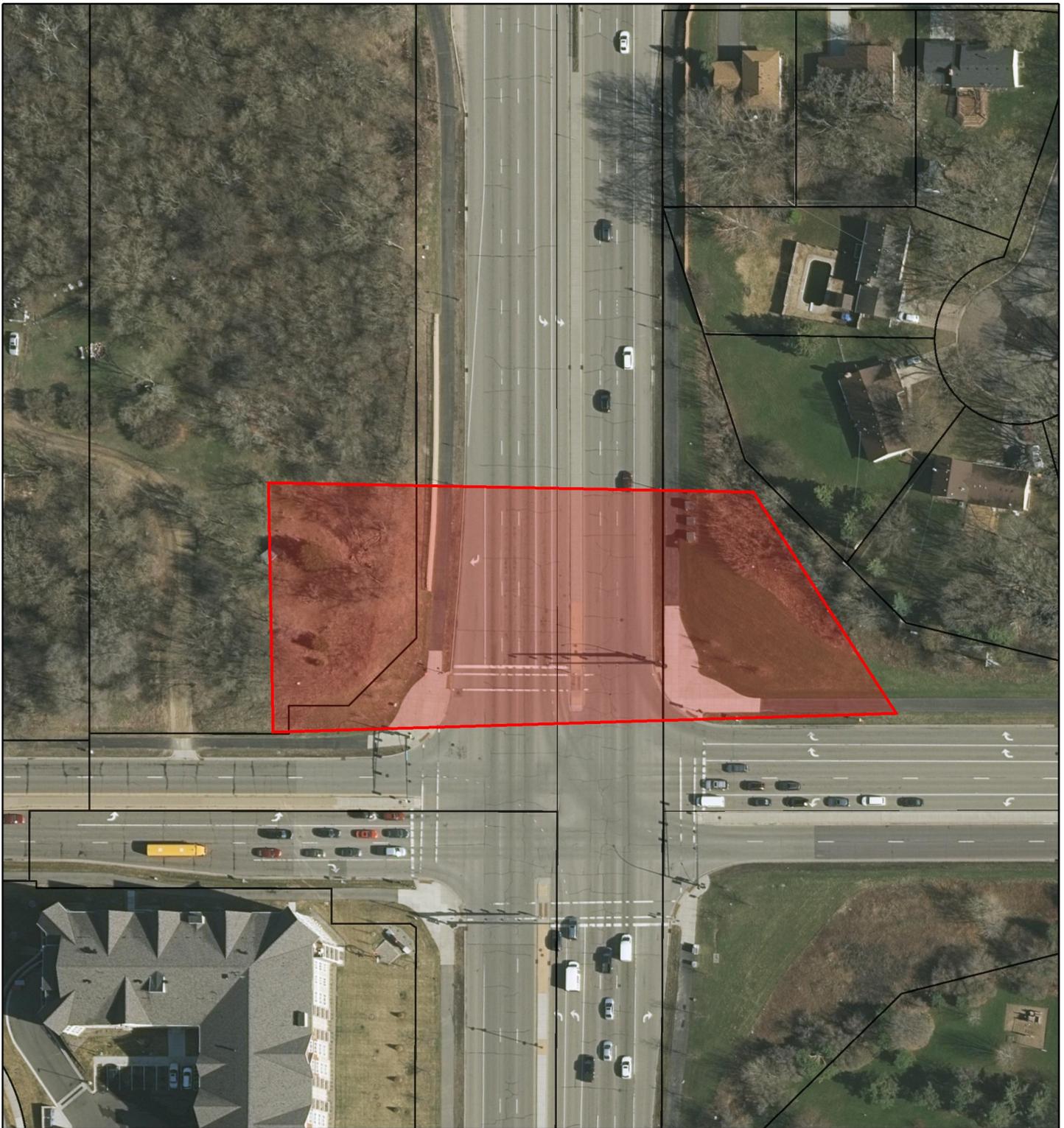
Reviewed by (if required):

- County Attorney's Office
- Financial Services
- Risk Management
- Employee Relations
- Information Technology
- Facilities Management

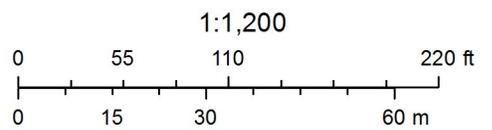


County Manager

4.5 - Attachment A.pdf
County Project 99-012: Approximate Project Area



February 10, 2020



Property Information

Project 99-012 (ST00010)

Year	Expense Budget			Funding Sources Budget						
	Budget	Proposed RBA	Revised Budget	Current County's Share	Proposed RBA	Revised County's Share	Current Non-County Funding	Proposed RBA	Revised Non-County Funding	Total Revised Project Funding
Prior to 2020	-	-	-	-	-	-	-	-	-	-
2020 Budget	370,000	-	370,000	315,000	-	315,000	55,000	-	55,000	370,000
2021 Plan	700,000	-	700,000	595,000	-	595,000	105,000	-	105,000	700,000
2022 Plan	3,000,000	-	3,000,000	2,550,000	-	2,550,000	450,000	-	450,000	3,000,000
2023 Plan	-	-	-	-	-	-	-	-	-	-
2024 Plan	-	-	-	-	-	-	-	-	-	-
<i>Current CIP Total</i>	<i>4,070,000</i>	<i>-</i>	<i>4,070,000</i>	<i>3,460,000</i>	<i>-</i>	<i>3,460,000</i>	<i>610,000</i>	<i>-</i>	<i>610,000</i>	<i>4,070,000</i>
Costs Beyond Current CIP	-	-	-	-	-	-	-	-	-	-
Total	4,070,000	-	4,070,000	3,460,000	-	3,460,000	610,000	-	610,000	4,070,000

DAKOTA COUNTY PHYSICAL DEVELOPMENT COMMITTEE

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

Meeting Date: 8/11/2020	Fiscal/FTE Impact:
Item Type: Consent-Action	<input checked="" type="checkbox"/> None <input type="checkbox"/> Other
Division: Physical Development	<input type="checkbox"/> Current budget <input type="checkbox"/> Amendment requested
Department: Parks, Facilities, and Fleet Management	<input type="checkbox"/> New FTE(s) requested
Contact: Hoopingarner, Taud	Board Goal: A healthy environment with quality natural areas
Contact Phone: (952) 891-7004, (651) 438-4416	Public Engagement Level: N/A
Prepared by: Lewanski, Tom	

PURPOSE/ACTION REQUESTED

Authorize staff to submit an application to the Minnesota Department of Natural Resources (DNR) for a Conservation Partners Legacy (CPL) grant that will be used to restore areas within Spring Lake Park Reserve (SLPR).

SUMMARY

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. The CPL Grant Program was established to restore, enhance, or protect forests, wetlands, prairies, and habitat for fish, game, and wildlife. The DNR manages this program providing grants from \$5,000 to \$400,000. In 2021, \$2,750,000 was dedicated to habitat projects within the metro area. A minimum 10 percent local match is required with any additional local match increasing the projects competitiveness. The CPL Metro grant cycle is now open with submittals due by September 21, 2020. The DNR will award grants in November with ranking based on the size of the project area, location of the project area, proximity to other restoration projects, ecological significance, alignment with natural resource plans, and local match.

2021 CPL Grant Application Project: The proposed grant project at 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. The grant request includes the following:

- 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.

RECOMMENDATION

Staff recommends the County Board approve the submittal of the CPL grant application for a restoration project in SLPR.

EXPLANATION OF FISCAL/FTE IMPACTS

The estimated cost of the restoration project is \$110,000. The requested grant is \$88,000 with local cash and in-kind match of \$22,000. Local cash match funds are available from the Parks Capital Improvement Program (CIP) Adopted Budget, within the grant match line item. Subject to DNR grant award, the County Board at a future meeting will consider acceptance of the grant and amendment of the Parks CIP adopted budget.

Supporting Documents:

Attachment A: Map of Spring Lake Park Reserve Project Location

Previous Board Action(s):**RESOLUTION**

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 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.

County Manager's Comments:

- Recommend Action
- Do Not Recommend Action
- Reviewed---No Recommendation
- Reviewed---Information Only
- Submitted at Commissioner Request

Reviewed by (if required):

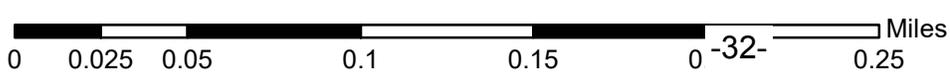
- County Attorney's Office
- Financial Services
- Risk Management
- Employee Relations
- Information Technology
- Facilities Management



County Manager



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DAKOTA COUNTY PHYSICAL DEVELOPMENT COMMITTEE

Update On CARES Act Allocations For Community Development Block Grant And Emergency Solutions Grant Programs

Meeting Date: 8/11/2020	Fiscal/FTE Impact:
Item Type: Consent-Information	<input type="checkbox"/> None <input checked="" type="checkbox"/> Other
Division: Physical Development	<input type="checkbox"/> Current budget <input type="checkbox"/> Amendment requested
Department: Physical Development Administration	<input type="checkbox"/> New FTE(s) requested
Contact: Stwora, Erin	Board Goal: A great place to live
Contact Phone: (952) 891-7153	Public Engagement Level: N/A
Prepared by: Dykes, Maggie	

PURPOSE/ACTION REQUESTED

Update on allocations from the Coronavirus Aid, Relief, and Economic Security (CARES) Act for the Community Development Block Grant and Emergency Solutions Grant Programs.

SUMMARY

The CARES Act, enacted in March 2020, appropriated \$5 billion in Community Development Block Grant Coronavirus (CDBG-CV) funds and \$4 billion in Emergency Solutions Grant Coronavirus (ESG-CV) funds to respond to the COVID-19 pandemic. These funds are administered by the U.S. Department of Housing and Urban Development (HUD) and must be used for activities that prevent, prepare for, and respond to coronavirus. Because Dakota County is classified as an "urban county" (having a population over 200,000), HUD has notified Dakota County (the County) that it will receive special allocations of CDBG-CV funds and ESG-CV funds in addition to the annual entitlement funds received by the County. The CARES Act funds must adhere to the original program rules in addition to addressing the impacts caused by the COVID-19 pandemic. The Dakota County Community Development Agency (CDA) administers the entitlement CDBG and ESG funds on behalf of Dakota County. Because the CDBG-CV funds and ESG-CV funds are special allocations of the entitlement programs, the existing cooperation agreements between all participating local units of government and the County will automatically govern the new special funding. The funds must be included as substantial amendments in the Fiscal Year 2019 Action Plan, which will prompt a public review process, including a public hearing.

CDBG-CV. Dakota County will receive \$1,134,381 of CDBG-CV funds. The CDBG-CV funds must address community development needs that meet at least one of three National Objectives: benefit to low- and moderate-income persons, prevention or elimination of slums or blight, or meeting an urgent need. The public service cap placed on entitlement funds has been suspended for the special funding. Because the CDBG-CV funds are limited one-time funds, they are not intended to be subgranted to the cities and townships. Eligible activities could include operational funding for food shelves, grocery delivery for seniors, and emergency assistance payments to income-eligible residents, as well as grant administration.

ESG-CV. Dakota County will receive \$2,109,564 of ESG-CV funds. The ESG-CV funds are to address the needs of individuals or families who are homeless or are at risk of homelessness because of the coronavirus and to support those eligible activities that mitigate the impacts of COVID-19. Eligible activities could include emergency shelter, rental assistance to individuals and families at-risk of homelessness, stabilization services for these same groups, costs associated with the Homeless Management Information System, and grant administration.

Process. The CV funds will likely not be spent before first quarter of 2021. The guidance offered by HUD has been limited, but it appears the special funds have similar spend-down requirements as the entitlement funds. For the CDBG-CV funds, it appears the funds should be spent within four-six years of allocation. For the ESG-CV funds, the funds should be spent within two years from the date the funding approval agreement is signed by HUD.

Staff would like to have a discussion with the Physical Development Committee on potential activities at a future meeting.

RECOMMENDATION

Information only; no action requested.

EXPLANATION OF FISCAL/FTE IMPACTS

Dakota County will receive CDBG-CV funds totaling \$1,134,381, and ESG-CV funds totaling \$2,109,564.

Supporting Documents:

Attachment A: Funding Award Letters from HUD

Previous Board Action(s):

RESOLUTION

Information only; no action requested.

County Manager's Comments:

- Recommend Action
- Do Not Recommend Action
- Reviewed---No Recommendation
- Reviewed---Information Only
- Submitted at Commissioner Request

Reviewed by (if required):

- County Attorney's Office
- Financial Services
- Risk Management
- Employee Relations
- Information Technology
- Facilities Management



County Manager



ASSISTANT SECRETARY FOR
COMMUNITY PLANNING AND DEVELOPMENT

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-7000

April 2, 2020

Mr. Mike Slavik
Chair of Dakota County
1590 Highway 55
Administration Center
Hastings, MN 55033-2372

Dear Chair Slavik:

I am pleased to inform you of a special allocation to your jurisdiction of Community Development Block Grant funds to be used to prevent, prepare for, and respond to the coronavirus (COVID-19). This allocation was authorized by the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), Public Law 116-136, which was signed by President Trump on March 27, 2020, to respond to the growing effects of this historic public health crisis.

The CARES Act made available \$5 billion in Community Development Block Grant Coronavirus (CDBG-CV) funds. Of this amount, the Department is immediately allocating \$2 billion based on the fiscal year 2020 CDBG formula. The remaining \$3 billion shall be allocated based on needs using best available data, in the following tranches: \$1 billion shall be allocated to States and insular areas within 45 days of enactment of the Cares Act, and \$2 billion shall be distributed to states and local governments at the discretion of the Secretary. Up to \$10 million will be set aside for technical assistance. Given the immediate needs faced by our communities, the Department has announced the first allocation of funds. Your jurisdiction's allocation is \$1,134,381.

The CARES Act adds additional flexibility for both the CDBG-CV grant and, in some cases, for the annual FY2020 CDBG grants in these unprecedented times. The public comment period is reduced to not less than 5 days, grantees may use virtual public hearings when necessary for public health reasons, the public services cap is suspended during the emergency, and States and local governments may reimburse costs of eligible activities incurred for pandemic response regardless of the date.

In addition, the CARES Act authorizes the Secretary to grant waivers and alternative requirements of statutes and regulations the Secretary administers in connection with the use of CDBG-CV funds and fiscal year 2019 and 2020 CDBG funds (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment). Waivers and alternative requirements can be granted when necessary to expedite and facilitate the use of funds to prevent, prepare for, and respond to coronavirus.

The Department is developing a notice that will further describes the CARES Act's

provisions, a Quick Guide to the CARES Act flexibilities and other provisions, and other resources to enable swift implementation of CDBG-CV grants. As these become available, they will be posted on HUD's website and distributed to grantees. The Department will also support grantees with technical assistance.

As you develop your plan for the use of these grant funds, we encourage you to consider approaches that prioritize the unique needs of low- and moderate-income persons and the development of partnerships between all levels of government and the private for-profit and non-profit sectors. You should coordinate with state and local health authorities before undertaking any activity to support state or local pandemic response. CDBG-CV grants will be subject to oversight, reporting, and requirements that each grantee have adequate procedures to prevent the duplication of benefits. HUD will provide guidance and technical assistance on DOB and regarding prevention of fraud, waste, and abuse and documenting the impact of this program for beneficiaries.

The Office of Community Planning and Development (CPD) is looking forward to working with you to successfully meet the urgent and complex challenges faced by our communities. If you or any member of your staff has questions, please contact your local CPD Field Office Director or CPDQuestionsAnswered@hud.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "John Gibbs", written in a cursive style.

John Gibbs
Acting Assistant Secretary
for Community Planning and Development
U.S. Department of Housing and Urban Development



ASSISTANT SECRETARY FOR
COMMUNITY PLANNING AND DEVELOPMENT

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-7000

April 2, 2020

Mr. Mike Slavik
Chair of Dakota County
1590 Highway 55
Administration Center
Hastings, MN 55033-2372

Dear Chair Slavik:

I am pleased to inform you of special Emergency Solutions Grants (ESG) Program funds HUD is allocating to your jurisdiction in the amount of \$571,921, as authorized by the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), Public Law 116-136. These special ESG-CV funds are to be used to prevent, prepare for, and respond to the coronavirus pandemic (COVID-19) among individuals and families who are homeless or receiving homeless assistance; and to support additional homeless assistance and homelessness prevention activities to mitigate the impacts of COVID-19.

President Trump signed the CARES Act on March 27, 2020 to help the Nation respond to the coronavirus outbreak. The CARES Act made available an additional \$4 billion in ESG-CV funds to supplement the Fiscal Year (FY) 2020 ESG funding provided under the Further Consolidated Appropriations Act, 2020 (Public Law 116-94). Of this amount, the Department is immediately allocating \$1 billion for ESG-CV grants based on the FY 2020 ESG formula. The rest of the funding for ESG-CV grants will be allocated directly to States or units of local government by a separate formula developed by the Secretary. Up to \$40 million of the additional funds will be set aside for technical assistance.

Given the immediate needs faced by our communities, the Department has announced the first allocation of funds, which are subject to the following flexibilities and conditions provided by the CARES Act:

- The funds may be used to cover or reimburse allowable costs incurred by a State or locality before the award of funding (including prior to the signing of the CARES Act) to prevent, prepare for, and respond to COVID-19;
- The funds are not subject to the spending cap on emergency shelter and outreach under 24 CFR 576.100(b)(1);
- Up to 10 percent of funds may be used for administrative costs, as opposed to 7.5 percent as provided by 24 CFR 576.108(a);
- The funds are exempt from the ESG match requirements, including 24 CFR 576.201;
- The funds are not subject to the consultation and citizen participation requirements that otherwise apply to the Emergency Solutions Grants, however each recipient must

publish how its allocation has and will be used, at a minimum, on the Internet at the appropriate Government web site or through other electronic media;

- The funds may be used to provide homelessness prevention assistance (as authorized under 24 CFR 576.103 or subsequent HUD notices) to any individual or family who does not have income higher than HUD's Very Low-Income Limit for the area and meets the criteria in paragraphs (1)(ii) and (1)(iii) of the "at risk of homelessness" definition in 24 CFR 576.3;
- That recipients may deviate from applicable procurement standards when using these funds to procure goods and services to prevent, prepare for, and respond to coronavirus, notwithstanding 24 CFR 576.407(f) and 2 CFR 200.317-200.326;
- While we encourage you to offer treatment and supportive services when necessary to assist vulnerable homeless populations, individuals and families experiencing homelessness must not be required to receive treatment or perform any other prerequisite activities as a condition for receiving shelter, housing, or other services for which these funds are used, notwithstanding 24 CFR 576.401(e).

In addition, the Act authorizes the Secretary to grant waivers of and specify alternative requirements for statutes and regulations the Secretary administers in connection with the use of ESG funds (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment). These waivers and alternative requirements can be issued when necessary to expedite and facilitate the use of funds to prevent, prepare for, and respond to coronavirus.

The Department is developing a notice that will further lay out the CARES Act provisions and other waivers and requirements to enable swift implementation of additional ESG-CV grants. This notice and any subsequent notices of waivers and alternative requirements will be made available on HUD's website and distributed to grantees. The Department will also support grantees with technical assistance.

As your jurisdiction develops its plan to use these grant funds, HUD encourages approaches that prioritize the unique needs of persons experiencing homelessness and the development of partnerships between all levels of government and the private for-profit and non-profit sectors. Your jurisdiction should coordinate with State and local health authorities before undertaking any activity to support state or local pandemic response. HUD encourages you to share successes that may help other grantees. Like other supplemental funding, ESG-CV grants are subject to oversight and tracking, such as requirements to prevent the duplication of benefits. We look forward to working with you to prevent fraud, waste, and abuse and to document the impact of this program for beneficiaries.

Importantly, proper reporting in the Integrated Disbursement and Information System (IDIS) is critical to ensuring grantees are complying with program requirements and policies, providing demographic and income information about the persons who benefit from funded activities, and allowing HUD to monitor recipients. Your jurisdiction's ongoing attention is essential to ensuring complete and accurate reporting of performance measurement data.

HUD's Office of Community Planning and Development (CPD) is looking forward to working with your jurisdiction to successfully meet the urgent and complex challenges faced by our communities. If you or your staff has questions, please contact your local CPD Field Office Director or CPDQuestionsAnswered@hud.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "John Gibbs", written in a cursive style.

John Gibbs
Acting Assistant Secretary
for Community Planning and Development
U.S. Department of Housing and Urban Development



ASSISTANT SECRETARY FOR
COMMUNITY PLANNING AND DEVELOPMENT

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-7000

June 9, 2020

Mr. Mike Slavik
Chair of Dakota County
1590 Highway 55
Administration Center
Hastings, MN 55033-2372

Dear Chair Slavik:

I am pleased to inform you of the second allocation of Emergency Solutions Grants (ESG) Program funds HUD is awarding to your jurisdiction in the amount of \$1,537,643, as authorized by the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), Public Law 116-136. These special ESG-CV funds are to be used to prevent, prepare for, and respond to the coronavirus pandemic (COVID-19) among individuals and families who are homeless or receiving homeless assistance; and to support additional homeless assistance and homelessness prevention activities to mitigate the impacts of COVID-19.

President Trump signed the CARES Act on March 27, 2020 to help the Nation respond to the coronavirus outbreak. The CARES Act made available an additional \$4 billion in ESG-CV funds to supplement the Fiscal Year (FY) 2020 ESG funding provided under the Further Consolidated Appropriations Act, 2020 (Public Law 116-94). Of this amount, the Department previously allocated \$1 billion for ESG-CV grants based on the FY 2020 ESG formula and set aside \$40 million for technical assistance.

An additional \$2.96 billion in funding for ESG-CV grants is now being allocated directly to States or units of local government by a separate formula developed by the Secretary. The formula approved by the Secretary includes variables that quantify the population currently experiencing and at risk of homelessness, including:

- Total Homeless Population
- Unsheltered Homeless Population
- Total Very Low Income (VLI) Renters
- VLI Renters that are Overcrowded or without a Kitchen or Plumbing

The variables were further weighted to adjust for fair market rents. HUD's formula methodology for this second allocation can be found at https://www.hud.gov/sites/dfiles/CPD/documents/ESG_CARES_Act_Round_2_Allocation_Methodology_rev.pdf

As with the first allocation, this second allocation of ESG-CV funds is subject to the following flexibilities and conditions provided by the CARES Act:

- The funds may be used to cover or reimburse allowable costs incurred by a State or locality before the award of funding (including prior to the signing of the CARES Act) to prevent, prepare for, and respond to COVID-19;
- The funds are not subject to the spending cap on emergency shelter and outreach under 24 CFR 576.100(b)(1);
- Up to 10 percent of funds may be used for administrative costs, as opposed to 7.5 percent as provided by 24 CFR 576.108(a);
- The funds are exempt from the ESG match requirements, including 24 CFR 576.201;
- The funds are not subject to the consultation and citizen participation requirements that otherwise apply to the Emergency Solutions Grants, however each recipient must publish how its allocation has and will be used, at a minimum, on the Internet at the appropriate Government web site or through other electronic media;
- The funds may be used to provide homelessness prevention assistance (as authorized under 24 CFR 576.103 or subsequent HUD notices) to any individual or family who does not have income higher than HUD's Very Low-Income Limit for the area and meets the criteria in paragraphs (1)(ii) and (1)(iii) of the "at risk of homelessness" definition in 24 CFR 576.3;
- That recipients may deviate from applicable procurement standards when using these funds to procure goods and services to prevent, prepare for, and respond to coronavirus, notwithstanding 24 CFR 576.407(f) and 2 CFR 200.317-200.326;
- While we encourage you to offer treatment and supportive services when necessary to assist vulnerable homeless populations, individuals and families experiencing homelessness must not be required to receive treatment or perform any other prerequisite activities as a condition for receiving shelter, housing, or other services for which these funds are used, notwithstanding 24 CFR 576.401(e).

In addition, the Act authorizes the Secretary to grant waivers of and specify alternative requirements for statutes and regulations the Secretary administers in connection with the use of ESG funds (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment). These waivers and alternative requirements can be issued when necessary to expedite and facilitate the use of funds to prevent, prepare for, and respond to coronavirus. HUD has made available the following waivers that are applicable to ESG-CV funding:

- [CPD Memo: Availability of Additional Waivers for CPD Grant Programs to Prevent the Spread of COVID-19 and Mitigate Economic Impacts Caused by COVID-19 \(5/22/2020\)](#)
 - **Waiver Applicability to ESG-CV** - Made all ESG waivers provided in 3/31/2020 memo applicable to ESG-CV

- **Housing Stability Case Management** – Original waiver (see below) is extended an additional 3 months beginning on the date of the memorandum (5/22/2020)
- [CPD Memo: Availability of Waivers of CPD Grant Program and Consolidated Plan Requirements to Prevent the Spread of COVID-19 and Mitigate Economic Impacts Caused by COVID-19 for CoC, ESG, and HOPWA \(3/31/2020\)](#)
 - **HMIS Lead Activities** - Allows any recipient to use ESG funds to pay costs of upgrading or enhancing its local HMIS to incorporate data on ESG Program participants and ESG activities related to COVID-19
 - **Re-evaluations for Homelessness Prevention Assistance** - For up to the 2-year period beginning on the date of the waiver memorandum (3/31/2020), the required frequency of re-evaluations for homelessness prevention assistance under section 576.401(b) is waived
 - **Housing Stability Case Management** - For the 2-month period beginning on the date of the waiver memorandum (3/31/2020), the required frequency of housing stability case management for homelessness prevention and rapid re-housing assistance is waived
 - **Restriction of Rental Assistance to Units At or Below FMR** - For the 6-month period beginning on the date of the waiver memorandum (3/31/2020), the FMR restriction is waived for any individual or family receiving Rapid Re-housing or Homelessness Prevention assistance who executes a lease for a unit

The Department is developing a notice that will further lay out the CARES Act provisions and other waivers and requirements to enable swift implementation of ESG-CV grants. This notice and any subsequent notices of waivers and alternative requirements will be made available on HUD's website and distributed to recipients. The Department will also support recipients with technical assistance.

As your jurisdiction continues to develop its plan to use these grant funds, HUD encourages approaches that prioritize the unique needs of persons experiencing homelessness and the development of partnerships between all levels of government and the private for-profit and non-profit sectors. Your jurisdiction should coordinate with State and local health authorities as you support state or local pandemic response. HUD encourages you to share successes that may help other recipients. Like other supplemental funding, ESG-CV grants are subject to oversight and tracking. We look forward to working with you to achieve the best possible outcomes for people experiencing and at risk of homelessness and to prevent fraud, waste, and abuse.

Importantly, proper reporting in the Integrated Disbursement and Information System (IDIS) and Homeless Management Information Systems (HMIS) is critical to ensuring recipients are complying with program requirements and policies, providing demographic and income information about the persons who benefit from funded activities, and allowing HUD to monitor recipients. Your jurisdiction's ongoing attention is essential to ensuring complete and accurate reporting of performance measurement data.

All ESG recipients must ensure they maintain active Dun and Bradstreet Numbering System (DUNS) numbers in the System for Award Management (SAM) system. Entities must have an active and unexpired DUNS before execution of grant agreements to avoid delays in the obligation of funds which will delay your ability to drawdown funds in IDIS. Recipients are required to maintain an active SAMs registration by re-activating their DUNS number annually in the SAM system for the entire drawdown period of their grants. DUNS numbers can be registered and renewed each year at the following website: <https://www.sam.gov/SAM/>.

HUD's Office of Community Planning and Development (CPD) is looking forward to working with your jurisdiction to successfully meet the urgent and complex challenges faced by our communities. If you or your staff have questions, please contact your local CPD Field Office Director or CPDQuestionsAnswered@hud.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "John Gibbs", written in a cursive style.

John Gibbs
Acting Assistant Secretary
for Community Planning and Development
U.S. Department of Housing and Urban Development

DAKOTA COUNTY PHYSICAL DEVELOPMENT COMMITTEE

Discussion On Veterans Advisory Group Role And Selection For Veterans Memorial Greenway Interpretive Plan

Meeting Date: 8/11/2020	Fiscal/FTE Impact:
Item Type: Regular-Information	<input type="checkbox"/> None <input type="checkbox"/> Other
Division: Physical Development	<input checked="" type="checkbox"/> Current budget <input type="checkbox"/> Amendment requested
Department: Physical Development Administration	<input type="checkbox"/> New FTE(s) requested
Contact: Stwora, Erin	Board Goal: A great place to live
Contact Phone: (952) 891-7153	Public Engagement Level: Level 3 - Involve
Prepared by: Jackson, Mary	

PURPOSE/ACTION REQUESTED

Discuss role and selection process for the Veterans Memorial Greenway Interpretive Plan Veterans Advisory Group

SUMMARY

A Board Goal for 2020 is final design engineering and development of a memorial interpretive plan for the Veterans Memorial Greenway in Eagan and Inver Grove Heights. The memorial interpretive plan will provide an overarching theme about the service of military Veterans, with interpretive content for five to seven interpretive site nodes, including a large site at Rich Valley Park. Desired outcomes include:

- Visitors are engaged in ways that are respectful, interactive, inclusive, informative, meaningful, and memorable
- Veterans contribute to interpretive stories in ways they find respectful, inclusive, representative of their experiences, informative, meaningful, and memorable
- The interpretive plan supports the greenway as a high-quality regional destination

The interpretive plan will rely on engagement of military Veterans to identify themes, concepts, and stories they believe are important to share. The project seeks to assemble an advisory group reflecting the diversity of the County's Veteran population based on age, gender, race and ethnicity, conflict or era in which they served, military branch, and duties. Staff anticipates an advisory group of 10 to 12 members.

Advisory group member roles potentially include:

- Participate in six to seven meetings through May 2021 to advise the project team on interpretive memorial design and content
- Advise the County Board on design and content of interpretive memorial sites
- Identify stories to tell in the corridor and at interpretive nodes and recommend content for the consultant to use in interpretive concept development
- Identify needs for additional research to be done by the project consultant
- Review and help refine preliminary concepts/designs as provided by the consultant
- Reach consensus, when possible
- Consider phasing options for construction of the interpretive memorial sites

Discussion requested at the August Physical Development Committee meeting is to identify the Board's preferences for assembling the Veterans Advisory Group. Potential options include:

1. Recruitment and selection of members led by staff in the County Veterans Services Department
2. Identification of potential candidates led by staff in the Veterans Services Department, with a review process and appointment by the County Board
3. Identification of Veteran's organizations that will make up the advisory group with the County Board inviting each organization to provide a representative (Attachment A).

RECOMMENDATION

Information only; no action requested.

EXPLANATION OF FISCAL/FTE IMPACTS

None.

Supporting Documents:
Attachment A: Example Veterans Organizations

Previous Board Action(s):

RESOLUTION

Information only; no action requested.

County Manager's Comments:

- Recommend Action
- Do Not Recommend Action
- Reviewed---No Recommendation
- Reviewed---Information Only
- Submitted at Commissioner Request

Reviewed by (if required):

- County Attorney's Office
- Financial Services
- Risk Management
- Employee Relations
- Information Technology
- Facilities Management



County Manager

Organizations for Outreach in Forming the Veterans Advisory Group

The following Veteran organizations are suggested for engagement in appointing representatives to the Veterans Memorial Greenway advisory group.

This list is not exhaustive but includes veteran community organizations that have worked in partnership with the County's Veterans Services Department.

- American Legion (AL)
- Veterans of Foreign Wars (VFW)
- Military Order of the Purple Heart (MOPH)
- Disabled American Veterans (DAV)
- Paralyzed Veterans of American (PVA)
- Vietnam Veterans of America (VVA)
- Representatives from city Beyond the Yellow Ribbon Networks
- Survivors of service members, particularly "Gold Star Family" members
- Current National Guard or Reserve members

DAKOTA COUNTY PHYSICAL DEVELOPMENT COMMITTEE

Review Of Spring Lake Park Reserve Master Plan And Natural Resources Management Plan Draft Concept

Meeting Date: 8/11/2020	Fiscal/FTE Impact:
Item Type: Regular-Information	<input checked="" type="checkbox"/> None <input type="checkbox"/> Other
Division: Physical Development	<input type="checkbox"/> Current budget <input type="checkbox"/> Amendment requested
Department: Physical Development Administration	<input type="checkbox"/> New FTE(s) requested
Contact: Chatfield, Kurt	Board Goal: A great place to live
Contact Phone: (952) 891-7022	Public Engagement Level: Level 3 - Involve
Prepared by: Leatham, Lil	

PURPOSE/ACTION REQUESTED

Receive an update on the Spring Lake Park Reserve (SLPR) Master Plan (MP) and Natural Resource Management Plan (NRMP) draft long-term concept and five- and 10-year improvement priorities. Provide input on concepts prior to community review and draft plan document development.

SUMMARY

By Resolution No. 19-524 (May 21, 2019), the Dakota County Board approved the consultant contract to update the 2003 SLPR MP and to create the park's first NRMP. Together, the plans will present a long-range vision for the park and will guide 10-year improvement priorities for recreation development, natural resources management, visitor services, and park operations. Integrating natural resources planning and master planning processes allows for recommendations that support a unified park vision and strategic improvement.

The planning process is occurring in four phases during 2019–2021: 1) Organization (summer 2019); 2) Research and Vision (summer-winter 2019); 3) Park Concepts (winter 2019–spring 2020); and 4) Preferred Concept and Plan (summer 2020–winter 2021).

The first three phases of the project are complete. From April to June 2020, over 900 community members engaged with the plan online or attended an online meeting resulting in over 200 comments/questionnaire responses (Attachment A). Based on that input, draft long-term and 10-year plan concept diagrams and five-year priorities have been prepared for the park. These will be the foundation for implementing improvements in accordance with the SLPR Master Plan and NRMP documents.

Draft Preferred Plan: The long-term and 10-year plans, as well as five-year priorities, address needs and desires that the community identified in the first three phases of the project. The draft long-term plan addresses the desire to enhance the park's high-quality natural resources and bird habitat, to introduce bison to the park, to improve viewsheds and visitor access to the Mississippi River, to provide more access within the park with low-impact natural surface trails, and to help visitors interpret the park's rich cultural and natural landscape. Draft Preferred Plan Link: <https://www.co.dakota.mn.us/parks/About/ParkMasterPlans/Documents/SpringLakeBoardPacket.pdf>

The Dakota County Planning Commission provided input on the draft long-term and 10-year plans at the July 23, 2020, meeting and the Draft Preferred Plan has been updated to reflect their comments (Attachment B). They also identified five-year priorities based on park service needs, community support, capital costs, operations and maintenance costs, and potential for revenue.

Next Steps: The draft SLPR Master Plan and NRMP documents will be prepared based on the draft long-term, 10-year, and five-year priorities with any modifications directed by the County Board. Community input on the concepts and priorities will begin this summer. It is anticipated that the full SLPR Master Plan and NRMP documents will be presented to the Physical Development Committee of the Whole in fall 2020. The community review period for the draft plan documents will occur in fall 2020. The Board will receive community comments and consider adoption of the plans in winter of 2021.

RECOMMENDATION

Information only; no action requested

EXPLANATION OF FISCAL/FTE IMPACTS

None.

Supporting Documents:

Attachment A: Phase 2 Community Input Summary

Attachment B: Planning Commission Discussion

Previous Board Action(s):

19-524; 5/21/19

RESOLUTION

Information only; no action requested

County Manager's Comments:

- Recommend Action
- Do Not Recommend Action
- Reviewed---No Recommendation
- Reviewed---Information Only
- Submitted at Commissioner Request

Reviewed by (if required):

- County Attorney's Office
- Financial Services
- Risk Management
- Employee Relations
- Information Technology
- Facilities Management



County Manager

PHASE 2 COMMUNITY ENGAGEMENT SOCIAL PINPOINT

SOCIAL PINPOINT

Social Pinpoint is an online interface that offers multiple formats for users to share their thoughts and ideas about the Park. For this phase, the website used two interactive maps to enable visitors to comment on the two proposed concepts and directed visitors to the separate Polco survey site, the results of which are discussed later in this summary. The link to the Social Pinpoint site was posted to the Dakota County Parks' Facebook page and advertised via email. Between April 22, 2020 to May 31, 2020, 946 individuals visited the Social Pinpoint platform, spending an average of 2:28 minutes on the site. Of those who visited the site, 22 interacted directly with the interactive maps, leaving a total of 48 comments between the two concepts.

MAP-BASED COMMENTS

Participants were prompted to provide feedback on the two draft concepts for Spring Lake Park Reserve. Comments could be made in three categories: "I like this", "This concerns me", and "How about this new idea?". Between the two concepts, nearly half of the comments posted were regarding potential concerns (48%), with a third of comments (33.3%) addressing ideas that people liked.

KEY TAKE-AWAYS

Analysis of the comments posted to the interactive maps of the two concepts indicate that respondents want to make sure that the new proposed programs align with the idea of a "park reserve." Many comments addressed the quantity and concentration of new proposed programming or development, expressing a concern about potential disturbance of natural resources and quality habitats. Participants responded positively to the programs that are not currently present in other parks in Dakota County, which

reinforces the overall goal of highlighting the unique features of the Park in the master plan update.

Concept 1: A Tale of Two Parks

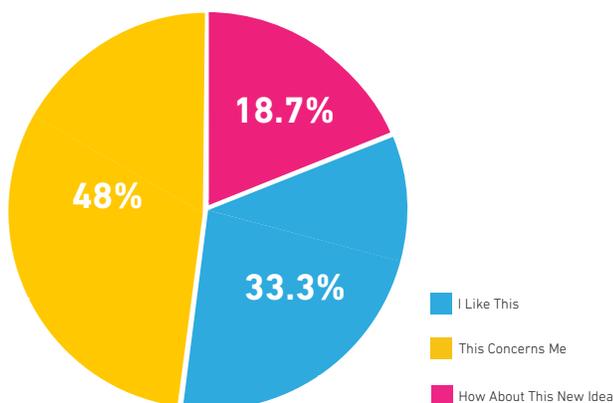
- Concern about increasing hardscape trails, thereby creating more disruption to natural resources in the Park
- Respondents felt that Concept 1 included too much new programming and development. Comments indicated specific concern about adding a new amphitheater and increased parking
- Concerns regarding the amount and type of proposed camping locations

Concept 2: Converging Courses

- Strong positive response to bringing bison to the park and including an interpretive center to help educate visitors about this new feature.
- Respondents identified this concept as more "nature-based", calling out amenities like nature-based play, soft trails and the water lab.
- Concerns that there are too many proposed new soft surface trails.
- Subset of respondents were highly concerned about adding parking at Hillary Path.

Full set of public review comments and meeting summaries can be review here:

<https://www.co.dakota.mn.us/parks/About/ParkMasterPlans/Documents/SpringLakeParkMasterPlanPhaseIICommunityEngagement.pdf>



Spring Lake Park Reserve Master Plan and Natural Resources Management Plan Preferred Concept and Priorities Dakota County Planning Commission Discussion and Changes Made

The Dakota County Planning Commission reviewed and discussed the draft preferred long-term and 10-year plan concepts for Spring Lake Park Reserve on July 23, 2020. The draft preferred plans and priorities were developed based on community support, capital investment cost, estimated additional operations and maintenance costs, potential for revenue, and how well each element supports the vision and guiding principles developed for the park.

The Planning Commission was asked if the draft long-term and ten-year plans were responsive to community needs and preferences, if there were changes needed to the long-term and 10-year plans, and what the most important priorities are for implementation in the next five years.

Below is a summary of primary discussion topics and response to comments or changes that have been made to the preferred concept plan based on Planning Commission feedback.

Natural Resources

A comment was made that the cost estimate reflects more costs for recreation development than natural resource restoration and questioned if the plan adequately addresses natural resource restoration within the park.

Staff response: As part of the Natural Resources Management Plan, plant community restoration needs have been analyzed for the park. Cost estimates are based on recent similar projects and reflect eventual restoration and management of the entire park. Initial phasing is based on ability to secure grant funding and ability to complete projects with current staff levels. The approach is consistent with the Natural Resource Management System Plan. More detailed phasing, including work plans project in the five-year plan will be developed for the Natural Resources Management Plan document.

Park Development

Some Commissioners expressed interest in maintaining the natural environment in Spring Lake Park and minimizing new development in the plan. Suggestions and comments included:

- Prioritize focus on the Mississippi River and the land itself;
- As a park reserve, Spring Lake Park does not need to offer the full range of services present in other parks; and
- Metropolitan Council Parks Policy Plan requirement that at least 80% of park reserves be managed as natural lands that protect the ecological functions of the native landscape is a minimum. More land can be managed as native landscape. [*The current recreation development footprint for Spring Lake Park Reserve is 12%, when all improvements in the long-term plan are realized the development footprint would be 15%*].

- Other commissioners stated that they supported the recreational improvements and felt comfortable with the level of recreation development.

Staff response: *Because there was not consensus about the level of visitor access and recreation and the long-term plan suggests park development 5% below the maximum allowed by Metropolitan Council Policy for Park Reserves, no changes to the preferred plan have been made.*

Bison

- There were several comments expressing concern about bringing bison to the park and the safety for people visiting the park.
- Many asked for clarification about the vision for bison – herd size, winter feeding, veterinary care, and separation from visitors.

Staff response: *The Bison Reintroduction Project, which is currently underway under as a separate project is studying these issues. The Master Plan will recommend bison reintroduction pending results of the more detailed study and ability to obtain grant funding and partnerships. The primary purpose of bison reintroduction is to enhance the function of the prairie ecosystem.*

Trails

There was a discussion about accessible trails within the park and potential surface type. Currently, the preferred plan does not specify surface type but does designate trails that link use areas and to the Mississippi River Greenway trail as accessible. Trails in flatter areas may be able to be a pervious surface such as crushed limestone. Trails on steeper slopes will may need to be paved to create a dependable, accessible surface.

- Some Commissioners preferred that the trails all remain unpaved, while other Commissioners pointed out that many park visitors would appreciate short accessible paved trail loops.
- The comment was made that current natural surface trails that are not sustainably built need to be redesigned to be sustainable.
- A Commissioner requested that minimal impact trails be considered in addition to accessible trails to provide a varied park experience.

Draft concept plan changes: *The Master Plan document will address sustainable trails at a high level, with design occurring as projects are implemented. Accessible trails are needed between the Mississippi River Greenway, parking, and primary use areas. Decisions about pavement will be made with design. The project design process will consider access, maintenance, and environmental impact. Staff will evaluate inclusion of additional minimal impact natural surface trails for Planning Commission Consideration with the Draft Plan documents this fall.*

Camping

- The comment was made that camping should be low impact and tent camping was acceptable, but not trailers or RV camping.

Staff response: *The preferred plan shows walk-in, bike-in, and boat-in tent camping. There is no vehicle access to individual campsites.*

Plan Prioritization and Phasing

The Commissioners discussed prioritization and phasing. There was discussion that some of popular, lower cost improvements such as natural surface trails, drinking water, and small picnic shelters are delayed to implement Bison Visitor Service Improvements, which are relatively high cost. The suggestion was made to divide this project into phases to prioritize some of the lower cost projects.

- Several Commissioners expressed that the Farm Use Area, located on the existing maintenance site, is a low priority.
- There was a comment that the Landing and the Mill River Use Areas should be low priority, but many Commissioners were supportive of allowing visitors to access the Mississippi River and Spring Lake.

Draft concept plan changes: *Bison Visitor Service Enhancements have been broken into two phases with a lower level of service prioritized for implementation in the next five years and a second, long term phase. This allows new natural surface trails in the east and west sides of the park, small, non-reservation-picnic shelters, drinking water, and vault toilets to be implemented within the five-year plan.*

The natural surface trails in the middle park are phased in the 5-10 year time-frame to allow for the County to work with the Minnesota Indian Affairs Council to prepare a mound management plan for indigenous sites within the middle of the park. This additional information is needed to ensure trail routing avoids indigenous sites.

The Farm Use Area will remain in the long-term plan, with implementation pending relocation of the maintenance area and completion of a feasibility study and business plan.

DAKOTA COUNTY PHYSICAL DEVELOPMENT COMMITTEE

Approval Of Land Conservation Plan For Dakota County

Meeting Date: 8/11/2020	Fiscal/FTE Impact:
Item Type: Regular-Action	<input checked="" type="checkbox"/> None <input type="checkbox"/> Other
Division: Physical Development	<input type="checkbox"/> Current budget <input type="checkbox"/> Amendment requested
Department: Environmental Resources	<input type="checkbox"/> New FTE(s) requested
Contact: Singer, Al	Board Goal: A healthy environment with quality natural areas
Contact Phone: (952) 891-7001	Public Engagement Level: Level 3 - Involve
Prepared by: Singer, Al	

PURPOSE/ACTION REQUESTED

Review and approve the Land Conservation Plan for Dakota County (LC Plan).

SUMMARY

The Dakota County Board of Commissioners adopted a Farmland and Natural Areas Protection Plan (FNAP Plan) by Resolution No. 02-90 (January 29, 2002) and adopted the Farmland and Natural Areas Program Guidelines by Resolution No. 03-334 (June 17, 2003), and the County began implementing its land conservation efforts outside of the park system in 2003. Refinements to program guidelines and project evaluation criteria occurred during the following years to more effectively respond to program experience and changing economic, funding, and other factors.

An update to the County's FNAP Plan was initiated in 2018 to provide contemporary guidance for the County's more comprehensive and integrated Land Conservation Program. On July 9, 2019, the Physical Development Committee of the County Board (PDC) reviewed public engagement and research findings, including draft goals and strategies and potential new initiatives. Based on PDC member comments and continued public engagement, a draft Plan was developed. By Resolution No. 20-166 (March 24, 2020), the County Board authorized release of the LC Plan for a 60-day public review process ending May 25, 2020. The draft LC Plan was posted on the County webpage and extensive electronic communications through social media and emails to partners; stakeholders; federal, state, regional, and local agencies and officials; and others were undertaken due to limited in-person opportunities for LC Plan distribution and review due to COVID-19. At the request of the Dakota County Township Officers Association, the County Board, by Resolution No. 20-271 (June 2, 2020), extended the public comment period until July 1, 2020.

On July 7, 2020, the PDC received an overview of the draft LC Plan, reviewed the summary of public and agency comments, provided staff direction on LC Plan revisions, and discussed the financial study completed by the Trust for Public Land (TPL) as an element of the LC Plan.

Staff revised the Plan by reducing the preliminary Conservation Focus Area (CFA) in the southwestern portion of Empire Township and reduced the amount of agricultural land on the perimeter of several preliminary CFAs for a total reduction of 4,457 acres from the preliminary CFAs in the revised Plan. This acreage reduction and further refinement of assumptions reduced the estimated County cost from \$18 million to \$15 million over ten years. Text was further clarified in several sections, and a more detailed description of the assumptions and analysis was added as Appendix 5. The revised draft LC Plan was presented to the Planning Commission (PLANC) on July 24, 2020. The PLANC unanimously recommended that the LC Plan be presented to the County Board for approval. A summary of LC Plan revisions is included in Attachment A. The revised final draft of the LC Plan is available at <https://www.co.dakota.mn.us/Environment/LandConservation/Plan/Documents/LandConservationPlanDraft.pdf>.

RECOMMENDATION

Staff recommends approval of the Land Conservation Plan for Dakota County.

EXPLANATION OF FISCAL/FTE IMPACTS

Initial Plan implementation will utilize existing Environmental Resources Department Operating and Capital Improvement Program funds. Future funding will be presented and authorized through future budget approval processes.

Supporting Documents:

Attachment A: Summary of Draft Plan Revisions

Previous Board Action(s):

02-090; 1/29/02

03-334; 6/17/03

20-166; 3/24/20

20-271; 6/02/20

RESOLUTION

WHEREAS, by Resolution No. 02-90 (January 29, 2002), the Dakota County Board of Commissioners adopted a Farmland and Natural Areas Protection Plan (FNAP Plan); and

WHEREAS, by Resolution No. 03-334 (June 17, 2003), the County Board of Commissioners adopted the Farmland and Natural Areas Program Guidelines and the County began implementing its land conservation efforts outside of the park system in 2003; and

WHEREAS, periodic County Board of Commissioner review of the Farmland and Natural Areas Program resulted in a number of refinements to program guidelines and project evaluation criteria to more effectively respond to proposed program improvements and changing economic conditions, available non-County funding, and other factors; and

WHEREAS, an update to the County's FNAP Plan was initiated 2018 by the County Board of Commissioners to provide contemporary guidance for the County's more comprehensive and integrated Land Conservation Program; and

WHEREAS, on July 9, 2019, the Physical Development Committee of the County Board (PDC) reviewed public engagement and research findings undertaken as part of the planning process, including draft goals and strategies and potential new initiatives, and directed staff to continue developing a draft Land Conservation Plan for Dakota County (LC Plan); and

WHEREAS, the planned County Board of Commissioners review and discussion of the draft LC Plan during March 17, 2020, PDC meeting was cancelled due to COVID-19; and

WHEREAS, by Resolution No. 20-166 (March 24, 2020), the County Board of Commissioners authorized to release the LC Plan for a 60-day public review process ending May 25, 2020; and

WHEREAS, the draft was posted on the County webpage and extensive electronic communications through social media and emails to partners; stakeholders; federal, state, regional, and local agencies and officials; and others were undertaken due to limited in-person opportunities for LC Plan distribution and review due to COVID-19; and

WHEREAS, by Resolution No. 20-271 (June 2, 2020), the County Board of Commissioners extended to the public comment period on the draft LC Plan until July 1, 2020, at the request of the Dakota County Township Officers Association; and

WHEREAS, on July 7, 2020, the PDC received an overview of the draft LC Plan, reviewed the summary of public and agency comments, provided staff direction on LC Plan revisions, and discussed the financial study completed by the Trust for Public Land as an element of the LC Plan; and

WHEREAS, staff revised the LC Plan by reducing the amount of agricultural land on the perimeter of several preliminary Conservation Focus Areas by 4,457 acres which, with refined cost and implementation assumptions, reduced the estimated County cost from an \$18 million to \$15 million over ten years and further clarified LC Plan text and graphics; and

WHEREAS, the revised draft LC Plan was presented to the Dakota County Planning Commission (PLANC) at its July 24, 2020, meeting, and the PLANC unanimously recommended that the revised LC Plan be presented to the County Board for approval.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota Board of Commissioners hereby approve the Land Conservation Plan for Dakota County, as presented at the August 11, 2020, County Board Physical Development Committee meeting.

County Manager's Comments:

- Recommend Action
- Do Not Recommend Action
- Reviewed---No Recommendation
- Reviewed---Information Only
- Submitted at Commissioner Request

Reviewed by (if required):

- County Attorney's Office
- Financial Services
- Risk Management
- Employee Relations
- Information Technology
- Facilities Management



County Manager

Summary of Revisions to Draft “Land Conservation Plan for Dakota County” based on Board Direction, Public Comments and Corrections/Clarifications

Maps and Figures

Page	Map/Figure	Change
3 and 20	Preliminary CFAs	<ul style="list-style-type: none"> Boundary and acreage modifications <ul style="list-style-type: none"> -excludes portion of preliminary CFA in SW Empire Township - Reduced agricultural land in several preliminary CFAs New CFA (Spring Creek) added in SE Sciota Township
21	CFA protection status chart	<ul style="list-style-type: none"> Updated per boundary/acreage changes
22	Preliminary CFAs and Wetland Restoration Basin Map	<ul style="list-style-type: none"> Boundary update
	Land Cover Table	<ul style="list-style-type: none"> Updated per boundary change
26	CFAs compared to original FNAP eligibility areas	<ul style="list-style-type: none"> New map added Acreage comparison clarified (2002 plan included eligibility of 160,000 acres of eligible land vs. 78,000 acres of priority lands)
27	CFAs and Regional Greenways	<ul style="list-style-type: none"> New map added
28	CFAs and Groundwater Recharge Areas	<ul style="list-style-type: none"> Boundary and figures updated

Text Revisions

Page	Content	Change
3	CFA Boundary and Figures	<ul style="list-style-type: none"> Updated totals based on boundary update
	FNAP Plan comparison with CFAs	<ul style="list-style-type: none"> Acreage comparison clarified (2002 plan included eligibility of 160,000 acres of eligible land vs. 78,000 acres of priority lands)
4 and 5	Cost Estimates and Targets	<ul style="list-style-type: none"> Targets and costs refined
14 and 35	Partnership Tactics	<ul style="list-style-type: none"> Added tactic for coordinating with townships on priorities and interests
14	Wetland Restoration	<ul style="list-style-type: none"> Clarified that preference is for restoring cultivated basins and removed reference to “larger” basins Added basin identification to text
16	Ecological Qualities	<ul style="list-style-type: none"> Added reference to County location on Mississippi Flyway
17	Pollinator Network	<ul style="list-style-type: none"> Eliminated “smaller-scale” reference for habitat sites
18	Goal 6: Clarified Plan Intent Associated with Increasing Recreational Access to Address Potential Landowner Concerns and Public Expectations for Physical or Visual Access	<ul style="list-style-type: none"> Emphasized that Plan focus is protection and restoration. Compatible recreational access would be possible only when a landowner allows it Clarified goal definitions for viewsheds and added a tactic related to preservation of viewsheds from protected, publicly-accessible lands
	Tactic 6.A.1. – “willing” is not the preferred language	<ul style="list-style-type: none"> Modified to “Work with landowners on a voluntary basis...”

Page	Content	Change
18	Gap in Natural Resource Management on Public Land	<ul style="list-style-type: none"> Added tactic to strategically increase restoration and long-term management on existing public lands.
20	Plan Protection Intent	<ul style="list-style-type: none"> Clarified that Plan focus is not protecting agricultural land, but seeks larger-scale wetland restoration Updated acreages based on boundary changes
22	Restorable Wetland Basins	<ul style="list-style-type: none"> Updated acreage within preliminary CFAs
26	2002 FNAP Plan Acreage (see comment on page 3)	<ul style="list-style-type: none"> Clarified and mapped priority acres for the FNAP Plan and replaced eligibility map
29	Other Areas: Surface Water Corridors	<ul style="list-style-type: none"> Added "Surface Water Corridors," clarified that the intent is water quality improvement, not new greenways- especially in upper watershed areas. Examples include 2nd or 3rd order tributaries that are not listed as Public Waters.
34 and 44	Cost Estimates and Outcomes	<ul style="list-style-type: none"> Updated based on boundary changes and refined assumptions
	Avoiding and Addressing Potential Conflicts between Local Plans and CFA vision and Implementation	<ul style="list-style-type: none"> Added language on how convening CFA landowners and inviting local governments and watershed organizations can help avoid and resolve conflicting visions
45	Staffing Levels and Associated Outcomes	<ul style="list-style-type: none"> Refined information on staffing and capacity
46-48	Federal and State Funding	<ul style="list-style-type: none"> Added information on Conservation Reserve Program CRP, Conservation Reserve Enhancement Program (CREP) and Conservation Partners Legacy (CPL) funding
53	Tools: Agricultural Easements	<ul style="list-style-type: none"> Clarified that use of <u>Agricultural Easements</u> will be highly limited to specific circumstances with additional public benefits Clarified intent as providing ecological benefits and enhancing recreational experience on adjacent, publicly-accessible lands (e.g., park and greenway buffers)
	Tools: Wetland Easements	<ul style="list-style-type: none"> Added <u>Wetland Easement</u> as a new land protection tool for projects that primarily focus on protection and restoration of existing or new wetlands that would also define how much upland buffer would be required and the maximum amount of associated agricultural land allowed.
89	Public Review Comments	<ul style="list-style-type: none"> Added Appendix 4 with public review comments
123	Cost Analyses	<ul style="list-style-type: none"> Added Appendix 5 with more detailed and updated cost analyses

DAKOTA COUNTY PHYSICAL DEVELOPMENT COMMITTEE**Authorization To Place \$40 Million Bond Referendum On November 3, 2020 Ballot And Approval Of Ballot Language**

Meeting Date: 8/11/2020
 Item Type: Regular-Action
 Division: Physical Development
 Department: Physical Development Administration
 Contact: Mielke, Steve
 natural areas
 Contact Phone: (952) 891-7007
 Prepared by: Singer, Al

Fiscal/FTE Impact:
 None Other
 Current budget Amendment requested
 New FTE(s) requested
 Board Goal: A healthy environment with quality
 Public Engagement Level: N/A

PURPOSE/ACTION REQUESTED

Review and consider a proposal from Commissioner Atkins to approve ballot language and authorize \$40 million general obligation bond referendum for funding protection and improvement of water quality and supply, natural areas, parks, greenways, and other conservation lands in Dakota County on the November 3, 2020, ballot.

SUMMARY

Dakota County is one of the most ecologically diverse counties in Minnesota. Conservation land protection and natural resource restoration and management provides many well-documented critical and valuable social, ecological and economic benefits. The County has a history of natural resource protection through the establishment of federal, state, County, and city lands; and 120 permanent conservation easements acquired on private properties through implementation of the 2002 Farmland and Natural Areas Protection Plan.

The 2008 County Park and Greenway System Plan, individual park and greenway master plans have identified prioritized land acquisition and natural resource restoration needs now included in the 2020- 2024 Parks Capital Improvement Program budget and the 2020 state bonding request totaling \$36M over the next five years. The 2017 Natural Resource Management Systems Plan for resource restoration of County and Regional Parks and Greenways and conservation easements identifying an estimated \$10M in needs during the next ten years.

In 2018, the County Board directed staff to begin updating the County's FNAP Plan to provide contemporary guidance for the County's Land Conservation Program. On July 7, 2020, the Physical Development Committee received an overview of the draft Land Conservation Plan for Dakota County (LC Plan) which identified an estimated acquisition of 200 acres of new lands within and adjacent to parks, greenways and other public conservation areas, and acquisition of new easements on 2,780 acres of private lands at an estimated cost of \$34M over ten years; and restoration of 12,600 acres of existing and new public lands and protected private lands at an estimated cost of \$11M over ten years, independent of possible non-County funding. The LC Plan included an independent financial analysis that described options for new revenue sources to implement the LC Plan, including the use of general obligation bonds (Attachment A). The County's is developing a new Groundwater Plan to address existing and long-term drinking water quality and supply management issues, which includes potential recommendations for conversion of current land uses which could provide other conservation benefits. The revised LC Plan was presented to the Dakota County Planning Commission during its July 23, 2020, meeting in which members unanimously recommended that the County Board approve the LC Plan. The final draft of the LC Plan was presented to the PDC for review and approval on August 11, 2020.

Residents have consistently supported the protection and management of water, natural areas and parks and trails in residential surveys, and this support was recently validated in a privately funded, scientific valid survey conducted July 20-23, 2020 by the Trust for Public Land, which indicated support for a modest increase in property taxes to help fund the protection and improvement of water, natural areas and parks and greenways. Based on those results, Commissioner Atkins requested inclusion of an agenda item to consider a proposal for a ballot question (Attachment B) for a \$40 million general obligation bond referendum for possible placement the November 3, 2020, election ballot.

RECOMMENDATION

To review and consider approval of the proposed program and ballot language for placement of a bond referendum on the November 3, 2020, ballot.

EXPLANATION OF FISCAL/FTE IMPACTS

See Attachment A.

Supporting Documents:

Attachment A: Fiscal Analysis
Attachment B: Draft Ballot Language

Previous Board Action(s):**RESOLUTION**

WHEREAS, Dakota County is one of the most ecologically diverse counties in Minnesota and bounded by the Mississippi, Minnesota and Cannon rivers with the Vermillion River flowing through the central portion of the County; and

WHEREAS, conservation land protection and natural resource restoration and management provides many critical and valuable social, ecological and economic benefits; and

WHEREAS, Dakota County has a long history of natural resource protection through the establishment of federal lands such as the Minnesota Valley National Wildlife Refuge and the Mississippi River and Recreation Area; state lands such as Aquatic and Wildlife Management Areas, Scientific and Natural Areas and Fort Snelling State Park; County Parks, Regional Parks, Park Reserves, Regional Greenways, and County Park Conservation Areas; and City Parks; and

WHEREAS, the County has been successfully implementing the 2002 Farmland and Natural Areas Protection Plan with numerous partners since 2003, resulting in the protection of more than 11,600 acres including 120 permanent conservation easements on private properties outside of the County Park and Greenway system; and

WHEREAS, the 2008 County Park and Greenway System Plan, and updated, individual park and greenway master plans have identified prioritized land acquisition from willing sellers at fair market value and natural resource restoration needs in the approved 2020-2024 Parks Capital Improvement Program budget and the 2020 state bonding request totaling \$36M over the next five years; and

WHEREAS, in 2017, the County Board approved the Natural Resource Management Systems Plan for prioritized and accelerated natural resource restoration of County and Regional Parks and Greenways and conservation easements and identified a \$10M cost for County lands over ten years; and

WHEREAS, the County Board of Commissioners directed staff to begin updating the County's FNAP Plan in 2018 to provide contemporary guidance for the County's more comprehensive and integrated Land Conservation Program; and

WHEREAS, on July 7, 2020, the Physical Development Committee of the Whole received an overview of the draft Land Conservation Plan for Dakota County (LC Plan), reviewed the summary of public and agency comments submitted during a 90-day comment period, provided staff direction on LC Plan revisions, and discussed the financial study completed by the Trust for Public Land as an element of the LC Plan; and

WHEREAS, the LC Plan has identified an estimated acquisition of additional 200 acres of new lands within and adjacent to parks, greenways and other public conservation areas, and acquisition of new easements on 2,780 acres of private lands from willing sellers at fair market value, at an estimated cost of \$34M over ten years; and restoration of 12,600 acres of existing and new public lands and protected private lands at an estimated cost of \$11M over ten years, independent of possible non-County funding; and

WHEREAS, the County's draft Groundwater Plan, which is currently being developed to address existing and long-term drinking water quality and supply management issues, includes potential recommendations for conversion of current land uses which could also provide other conservation benefits; and

WHEREAS, the LC Plan included an independent financial analysis that included options for new revenue sources to implement the LC Plan, including the use of general obligation bonds; and

WHEREAS, a revised draft of the LC Plan was presented to the Dakota County Planning Commission during its July 23, 2020, meeting and Planning Commission members unanimously recommended that the County Board approve the LC Plan; and

WHEREAS, the final draft of the LC Plan was presented to the Physical Development Committee of the Whole for review and approval on August 11, 2020; and

WHEREAS, residents have consistently supported the protection and management of water, natural areas and parks and trails in residential surveys, and this support was recently validated in a privately funded, statistically valid survey conducted July 20-23, 2020, which also indicated support for a modest increase in property taxes (average residential homeowner would pay an additional \$22.00 per year for a \$40 million bond issuance) to help fund the protection and improvement of water, natural areas, parks, greenways, and other conservation lands; and

WHEREAS, funds raised by the County may be matched by funds from non-County public and private sources; and

WHEREAS, ballot language for a general obligation bond referendum has been reviewed and approved by the County Attorney's Office and bond counsel prior to it being submitted to the County Treasurer-Auditor for inclusion on the November 3, 2020, election ballot.

NOW, THEREFORE, BE IT RESOLVED, that the Dakota County Board of Commissioners hereby approves ballot question language, subject to review and approval by the County Attorney's Office and bond counsel, as follows:

PROTECTION AND IMPROVEMENT OF WATER, NATURAL AREAS, PARKS AND GREENWAYS

Shall Dakota County be authorized to issue general obligation bonds in an amount up to \$40 million maturing over a term not to exceed ten years, to acquire interests in and improve land for conservation and park purposes, including the preservation and protection of drinking water sources and groundwater supply; the water quality of lakes, streams, and rivers, including the Mississippi, Minnesota, Cannon, and Vermillion Rivers; protection of forests to improve air quality; protection of wildlife habitat; and protection, restoration and management of parks, greenways and other conservation lands, with full public disclosure of how the funds are spent?

BY VOTING "YES" ON THIS BALLOT QUESTION, YOU ARE VOTING FOR A PROPERTY TAX INCREASE.

; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the placement of a \$40 million general obligation bond referendum to fund the protection and improvement of water quality, natural areas, parks, greenways and other conservation lands in the County on the November 3, 2020 ballot with the approved ballot question; and

BE IT FURTHER RESOLVED, That referendum funds will be used strategically to leverage non-County public and private funds for protecting and improving high priority natural resources in the County; and

BE IT FURTHER RESOLVED, That the use of referendum funds will be fully accounted, and the outcomes of these expenditures will be periodically reported to the Dakota County Board of Commissioners, conservation partners and Dakota County residents.

County Manager's Comments:

- Recommend Action
- Do Not Recommend Action
- Reviewed---No Recommendation
- Reviewed---Information Only
- Submitted at Commissioner Request

Reviewed by (if required):

- County Attorney's Office
- Financial Services
- Risk Management
- Employee Relations
- Information Technology
- Facilities Management



County Manager

Estimated Bond Financing Costs										
Bond Issue	Interest Rate	Maturity (Years)	Annual Debt Service*	Total Tax Capacity**	Property Tax Rate Increase	Annual Cost for Median Home***	Annual Cost for \$250,000 Commercial Property	Annual Cost for \$500,000 Commercial Property	Annual Cost for \$750,000 Commercial Property	Annual Cost for \$1,000,000 Commercial Property
\$30,000,000	4%	10	\$3,883,665	\$639,851,945	0.607%	\$17	\$23	\$56	\$86	\$117
\$40,000,000	4%	10	\$5,178,220	\$639,851,945	0.809%	\$22	\$30	\$75	\$115	\$156
\$50,000,000	4%	10	\$6,472,775	\$639,851,945	1.012%	\$28	\$38	\$94	\$144	\$195
\$60,000,000	4%	10	\$7,767,329	\$639,851,945	1.214%	\$33	\$46	\$112	\$173	\$234
\$70,000,000	4%	10	\$9,061,884	\$639,851,945	1.416%	\$39	\$53	\$131	\$202	\$273
\$80,000,000	4%	10	\$10,356,439	\$639,851,945	1.619%	\$44	\$61	\$150	\$231	\$312
\$90,000,000	4%	10	\$11,650,994	\$639,851,945	1.821%	\$50	\$68	\$168	\$259	\$351
\$100,000,000	4%	10	\$12,945,549	\$639,851,945	2.023%	\$55	\$76	\$187	\$288	\$389

**Preliminary 2021 Payable Market Values <https://www.co.dakota.mn.us/HomeProperty/Assessing/MarketValues/Pages/2021.aspx>*
***Based on tax capacity of \$2,503 for residential homestead with \$263,800 estimated market value (Dakota County)*

Estimated Revenues & Costs of Voter-Approved Property Tax Increase							
Levy Amount / Annual Revenue	Referendum Market Value*	Property Tax Rate Increase	Annual Cost for Median Home**	Annual Cost for \$250,000 Commercial Property	Annual Cost for \$500,000 Commercial Property	Annual Cost for \$750,000 Commercial Property	Annual Cost for \$1,000,000 Commercial Property
\$1,000,000	\$54,556,731,113	0.0018%	\$5	\$5	\$9	\$14	\$18
\$2,000,000	\$54,556,731,113	0.0037%	\$10	\$9	\$18	\$27	\$37
\$3,000,000	\$54,556,731,113	0.0055%	\$16	\$14	\$27	\$41	\$55
\$4,000,000	\$54,556,731,113	0.0073%	\$21	\$18	\$37	\$55	\$73
\$5,000,000	\$54,556,731,113	0.0092%	\$26	\$23	\$46	\$69	\$92

**Preliminary 2021 Payable Market Values <https://www.co.dakota.mn.us/HomeProperty/Assessing/MarketValues/Pages/2021.aspx>*
***Based on tax capacity of \$2,743 for residential homestead with \$285,818 estimated market value (Dakota County)*

Attachment A

PROTECTION AND IMPROVEMENT OF WATER, NATURAL AREAS, PARKS AND GREENWAYS

Shall Dakota County be authorized to issue general obligation bonds in an amount up to \$40 million maturing over a term not to exceed ten years, to acquire interests in and improve land for conservation and park purposes, including the preservation and protection of drinking water sources and groundwater supply, the water quality of lakes, streams, and rivers, including the Mississippi, Minnesota, and Cannon Vermillion Rivers; protection of forests to improve air quality; protection of wildlife habitat; and protection, restoration and management of parks, greenways and other conservation lands, with full public disclosure of how the funds are spent?

BY VOTING "YES" ON THIS BALLOT QUESTION, YOU ARE VOTING FOR A PROPERTY TAX INCREASE.

