

The Ramsey County Board of Commissioners met with the following members present: Bennett, Carter, McDonough, Ortega, Reinhardt, Rettman and Chair Parker – 7. Absent: None. Also present were Julie Kleinschmidt, County Manager, and Darwin Lookingbill, Director, Civil Division, County Attorney's Office.

PLEDGE OF ALLEGIANCE

All in attendance recited the Pledge of Allegiance.

AGENDA

Commissioner Carter moved approval of the Agenda of the October 6, 2009 Board Meeting, seconded by Commissioner Ortega. Roll Call: Ayes – Rettman, Bennett, Carter, McDonough, Ortega, Reinhardt, Parker – 7. Nays – 0.

MINUTES

Commissioner Reinhardt moved approval of the Minutes of the September 22, 2009 Board Meeting, seconded by Commissioner Rettman. Roll Call: Ayes – Rettman, Bennett, Carter, McDonough, Ortega, Reinhardt, Parker – 7. Nays – 0.

PUBLIC HEALTH – Saint Paul-Ramsey County Community Health Services Advisory Committee (CHSAC) recommendations – July 2009

Commissioner Rettman introduced the following resolution and moved its adoption, seconded by Commissioner Reinhardt. Roll Call: Ayes – Rettman, Bennett, Carter, McDonough, Ortega, Reinhardt, Parker – 7. (2009-331)

WHEREAS, The Saint Paul-Ramsey County Community Health Services Advisory Committee (CHSAC) advises the Mayor, City Council, and the Ramsey County Board of Commissioners on issues related to public health as defined in the Joint Powers Agreement approved by both local governments in December 1996; and

WHEREAS, The CHSAC has investigated the topics of public health emergency preparedness, Community Health Services planning, underage drinking in Minnesota and Ramsey County, healthy homes for children, trans fat ban and caloric labeling in food establishments, public health teen parenting program, public health policy development, Nurse Family Partnership program, Active Living Ramsey County and the joint annual meeting with Hennepin County and the City of Minneapolis on the subject of the multicultural health storytelling project; and

WHEREAS, Based on the presentations by staff and other experts and discussions by the CHSAC members, recommendations have been developed for consideration and action by the Saint Paul City Council and the Ramsey County Board of Commissioners; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners hereby accepts the following recommendations from the Community Health Services Advisory Committee and explore options for their implementation:

- #1 Work toward limiting the use of trans fats and requiring the posting of caloric information in Ramsey County food establishments.
- #2 Create smoke-free campuses throughout Ramsey County.

(Continued)

- #3 Curb binge drinking by young adults using community-based programming.
- #4 Support Active Living Ramsey County and endorse the Strategic Plan.
- #5 Use the Multicultural Story Telling DVD and lessons learned to provide culturally appropriate public health programs.
- #6 Develop strong cooperation among departments and agencies in identifying and addressing housing issues that adversely affect children's health.
- #7 Improve the lives of low-income, first-time families and their children by continuing and expanding the Nurse-Family Partnership of Ramsey County.
- #8 Promote the health and well-being of teen parents and their children by continuing and expanding the Public Health Teen Parent Program that works in conjunction with Ramsey County Departments of Human Services and workforce Solutions, public schools and community agencies.

PUBLIC HEALTH – Request for Proposals for Family Violence Prevention and Intervention Services (Strong and Peaceful Families)

Commissioner Rettman introduced the following resolution and moved its adoption, seconded by Commissioner Reinhardt. Roll Call: Ayes – Rettman, Bennett, Carter, McDonough, Ortega, Reinhardt, Parker – 7. (2009-332)

WHEREAS, In 2005, in response to a Ramsey County Request for Proposals (RFP), Wilder Foundation Violence Prevention and Intervention Program was selected to provide intensive services to 15-30 families each year as referred by the Ramsey County/St. Paul City Attorneys Joint Domestic Abuse Prosecution Unit (JPU), in what has come to be known as the Strong and Peaceful Families Program; and

WHEREAS, In the summer of 2009, Public Health and JPU staff were informed that due to budget cuts at the Wilder Foundation most of the staff from the Violence Prevention and Intervention program would be laid off, including the primary staff that had worked to develop and provide the Strong and Peaceful Families program; and

WHEREAS, As a result, Public Health has determined that it is necessary to issue a new RFP to find the best possible provider of Strong and Peaceful Family services for 2010-11; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners hereby authorizes the Department of Public Health (Family Violence Prevention and Intervention Services) to issue a Request for Proposals to identify a service provider for Strong and Peaceful Families services for contract years 2010 and 2011, in a form to be approved by the County Attorney's Office, and in accordance with policies and procedures on RFPs, with direction to staff to return to the Board with a recommendation for selection of a vendor.

SHERIFF – Transfer of Sheriff's Radio Equipment to Outstate Public Entities

Commissioner Rettman introduced the following resolution and moved its adoption, seconded by Commissioner Reinhardt. Roll Call: Ayes – Rettman, Bennett, Carter, McDonough, Ortega, Reinhardt, Parker – 7. (2009-333)

WHEREAS, The Sheriff's Office transitioned from UHF and VHF radios to 800 MHz radio technology several years ago, leaving a considerable amount of obsolete radios in surplus; and

(Continued)

WHEREAS, The cost to reprogram the old radios to remove the statewide police frequencies would be more than the value the radios could recover at public auction; and

WHEREAS, Many of the smaller rural police and sheriff's agencies still rely on UHF and VHF radio technology; and

WHEREAS, The Sheriff's Office requests approval to transfer the surplus UHF and VHF radios to Minnesota public entities for use by their police and sheriff agencies that still use this technology and request such transfers; and

WHEREAS, Minnesota Statutes require the County Board to authorize the transfer of County personal property to other public entities; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners authorizes the transfer of UHF and VHF radios to Minnesota public entities for use by their law enforcement agencies.

PARKS AND RECREATION – Battle Creek Regional Park – Agreement with City of Maplewood for Construction and Maintenance of Utilities

Commissioner Rettman introduced the following resolution and moved its adoption, seconded by Commissioner Reinhardt. Roll Call: Ayes – Rettman, Bennett, Carter, McDonough, Ortega, Reinhardt, Parker – 7. (2009-334)

WHEREAS, The City of Maplewood, in cooperation with Ramsey County, Washington County, and the City of Woodbury, is reconstructing Century Avenue from Brookview Drive to Lake Road; and

WHEREAS, As part of the reconstruction project service utilities, including water and sanitary sewer, are being realigned; and

WHEREAS, Two residential properties at 105 Century Avenue South and 111 Century Avenue South are currently not connected to public utilities and the City of Maplewood desires to be consistent in management of services and provide sanitary sewer and water utilities to these residences; and

WHEREAS, These properties are in-holdings within the designated boundary of Battle Creek Regional Park and an easement exists on park property for access to the residential property situated furthest from the Century Avenue right-of way; and

WHEREAS, The Ramsey County Parks and Recreation Department desires to cooperate and has worked with the City of Maplewood to review alternatives and determine the best routing of the utilities to the properties; and

WHEREAS, The best routing of the sanitary sewer and water utilities has been determined to be through Ramsey County Parks property within the existing access easement; and

WHEREAS, The Ramsey County Parks and Recreation Department desires to cooperate and has worked with the City of Maplewood to determine the best alignment of the Utilities to the Property; and

(Continued)

WHEREAS, The City of Maplewood will be responsible for all costs associated with the construction, maintenance, replacement or reconstruction of the utilities; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners hereby approves the Agreement between Ramsey County and the City of Maplewood allowing the City to construct sanitary sewer and water utilities within the existing access easement in Battle Creek Regional Park to serve residential properties at 105 Century Avenue South and 111 Century Avenue South; and Be It Further

RESOLVED, The Board authorizes the Chair and Chief Clerk to sign the Agreement.

PARKS AND RECREATION – Agreement between the City of New Brighton and Ramsey County for Construction and Maintenance of Trails in Long Lake Regional Park

Commissioner Rettman introduced the following resolution and moved its adoption, seconded by Commissioner Reinhardt. Roll Call: Ayes – Rettman, Bennett, Carter, McDonough, Ortega, Reinhardt, Parker – 7. (2009-335)

WHEREAS, Ramsey County owns and operates Long Lake Regional Park located in the City of New Brighton; and

WHEREAS, Ramsey County has worked with the City of New Brighton to develop a southeast trail connection into Long Lake Regional Park, a portion of which will be constructed on County property; and

WHEREAS, Ramsey County and the City of New Brighton have determined the design and alignment of the trail which will enhance recreational activities for all park users; and

WHEREAS, The City of New Brighton will be responsible for all costs associated with the construction and ongoing maintenance of the trail; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners approves the Agreement between the City of New Brighton and Ramsey County for Construction and Maintenance of Trails in Long Lake Regional Park; and Be It Further

RESOLVED, The Ramsey County Board of Commissioners authorizes the Chair and Chief Clerk to execute the Agreement on behalf of Ramsey County.

COMMUNITY HUMAN SERVICES – Children’s Mental Health Services – Lease for Project Enhance

Commissioner Rettman introduced the following resolution and moved its adoption, seconded by Commissioner Reinhardt. Roll Call: Ayes – Rettman, Bennett, Carter, McDonough, Ortega, Reinhardt, Parker – 7. (2009-336)

WHEREAS, Project Enhance is a collaborative effort with the Suburban School Districts to address the mental health needs of students in those districts; and

WHEREAS, Community Human Services Department staff involved with Project Enhance have been located at Fairview Community Center since 2004; and

(Continued)

WHEREAS, The location of program staff within this Roseville School District building increases the interaction with teachers, families and students, resulting in more effective provision of crisis response, case management and other support services; and

WHEREAS, This renewal of the lease is for the period November 1, 2009 through June 30, 2012; and

WHEREAS, It has been negotiated by the Property Management Department; and

WHEREAS, The rate of the current lease is \$15.25 per square foot; and

WHEREAS, The rates in the proposed lease are \$15.00 per square foot for the first eight months, \$15.10 in the second year, and \$15.20 in the third year; and

WHEREAS, Funding for this lease is in the proposed budget for 2010 and 2011; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners approves the lease renewal for the Project Enhance program with Roseville Area Schools, 1251 County Road B-2 West, Roseville, MN 55113, at the following rates:

- \$15.00 per square foot for November 1, 2009 through June 30, 2010
- \$15.10 for July 1, 2010 through June 30, 2011, and
- \$15.20 for July 1, 2011 through June 30, 2012;

and Be It Further

RESOLVED, The Board authorizes the County Manager to sign the lease in a form approved by the County Attorney's Office.

COMMUNITY HUMAN SERVICES – Foster Care Services – Drop-In Mentoring Program

Commissioner Rettman introduced the following resolution and moved its adoption, seconded by Commissioner Reinhardt. Roll Call: Ayes – Rettman, Bennett, Carter, McDonough, Ortega, Reinhardt, Parker – 7. (2009-337)

WHEREAS, The Community Human Services Department wishes to establish a positive and productive relationship between African-American males ages 13-18 in our foster care system with an adult male outside of that foster care system; and

WHEREAS, The long-term purpose is to improve their chances of finishing school and growing into productive adults; and

WHEREAS, The Department proposes to initiate a six month pilot project with Freeport West for a Youth Coach to provide mentoring and outreach services to up to 40 youth currently served by the Community Human Services Department; and

(Continued)

WHEREAS, This will be a pilot effort with Freeport West based on 1) their history of involvement in the community; 2) their central location from Central, Highland Park and Humboldt High Schools and accessibility via the bus system; and 3) that approximately 80 living in out of home placement are within a five mile radius of Freeport West; and

WHEREAS, Over the six months we will evaluate progress based on the number of times youth initiate contact with the youth Coach for support in working through various circumstances; and

WHEREAS, If the pilot shows signs of progress, the Department will develop plans for the Board to review on how to expand this approach; and

WHEREAS, The cost of the pilot would be \$30,000 and funded from federal grant dollars; and

WHEREAS, Due to the fact that this is a pilot project and is focused on a population that Freeport West has served for many years, the Department is requesting approval to work directly with Freeport West in implementing; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners approves entering into an agreement with Freeport West to provide a Youth Coach and Drop in Mentoring service, in an amount not to exceed \$30,000, for the period October 1, 2009 through March 31, 2010; and Be It Further

RESOLVED, The Board authorizes the County Manager to approve and sign the agreement in the form approved by the County Attorney's Office.

EMERGENCY MANAGEMENT – Apply for and accept the 2009 Urban Area Security Initiative (UASI) Grant Award

Commissioner Rettman introduced the following resolution and moved its adoption, seconded by Commissioner Reinhardt. Roll Call: Ayes – Rettman, Bennett, Carter, McDonough, Ortega, Reinhardt, Parker – 7. (2009-338)

WHEREAS, The United States Department of Homeland Security has authorized Ramsey County, as part of the Urban Area Security Initiative, to apply for and receive a grant for planning costs, operational costs, exercise costs, training costs, and for the purchase of equipment, in an amount up to \$742,329; and

WHEREAS, The funds are required to be used to enhance the County's ability to respond to, prevent, plan for, and mitigate against terrorist and other events affecting the County and the UASI region, continuing the process begun under the Urban Area Security Initiative; and

WHEREAS, Ramsey County has received and executed several similar grants in the past; and

WHEREAS, The equipment, services, costs and authorized training must be selected from the Federal "Authorized Equipment List" and must follow a spending plan developed in jointly by Minnesota Homeland Security Region 6, the members of the Urban Area Security Initiative and the State of Minnesota Department of Public Safety, Division of Homeland Security and Emergency Management, and approved in advance by the United States Department of Homeland Security; and

(Continued)

WHEREAS, Discussions have been held with local municipalities to gain consensus as to the use of these funds, and reflects a general strategy to develop County-wide resources, region-wide resources, and to protect those persons who will respond to such emergencies; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners hereby authorizes the County Manager to apply for the 2009 Urban Area Security Initiative grant funds; and Be It Further

RESOLVED, The Board authorizes the County Manager to accept the grant agreement in an amount of up to \$742,329 and any modifications, amendments, and/or extensions to the grant agreement and to sign contracts related to the grant or to modifications, amendments, and/or extensions upon receipt from the State of Minnesota; and Be It Further

RESOLVED, The Board authorizes the County Manager to make necessary budget adjustments; and Be It Further

RESOLVED, The Board authorizes the County Manager to expend monies for personnel costs, planning, operations, exercises, training, and to purchase equipment from the federally approved equipment list and in conjunction with the Region 6 and Urban Area Security Initiative planning process, and to distribute the equipment purchased.

RAMSEY COUNTY WORKFORCE INVESTMENT BOARD – Workforce Investment Board/County Board 2009-2012 Program Strategic Plan

Commissioner Rettman introduced the following resolution and moved its adoption, seconded by Commissioner Reinhardt. Roll Call: Ayes – Rettman, Bennett, Carter, McDonough, Ortega, Reinhardt, Parker – 7. (2009-339)

WHEREAS, The 2000 Joint Powers Agreement between Ramsey County and the City of Saint Paul for the consolidated County/City workforce investment program (“Program”) contains a provision that the Ramsey County Workforce Investment Board (“WIB”), in partnership with the Ramsey County Board, produce a strategic plan that identifies trends, emerging issues and appropriate strategies that integrate Workforce Solutions’ programs (Article VIII.8.1.a); and

WHEREAS, The 2008-2009 Partnership Agreement between Ramsey County and the Ramsey County WIB reinforces this requirement, stating that the Ramsey County WIB, in partnership with the Ramsey County Board, shall produce a strategic plan, identifying trends, emerging issues and appropriate strategies for the Program (Article II.A.1); and

WHEREAS, The Strategic Goal is to ensure alignment of education and resources to meet future business needs and opportunities; and

WHEREAS, Tactics identified for 2009-2012 include:

- Complete an annual environmental scan with input from business, education, training, and community representatives.
- Identify and communicate current training and workforce development opportunities.
- Convene stakeholders to connect workforce needs with training opportunities in response to identified needs in the WIB’s focus areas.
- Sustain and support existing WIB initiatives.

and

(Continued)

WHEREAS, Annual strategic priorities will be identified to support the Ramsey County Workforce Investment Board's Goal and Tactics; and

WHEREAS, Through implementation of the 2009-2012 Strategic Plan the WIB will link their efforts with Workforce Solutions; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners hereby approves and adopts the Ramsey County Workforce Investment Board proposed 2009 Strategic Plan dated June 4, 2009.

PUBLIC HEALTH – Recovery Act: Public Health Emergency Response Grant (PHER) – Department of Health and Human Services, Center for Disease Control and Prevention

Commissioner Rettman introduced the following resolution and moved its adoption, seconded by Commissioner Ortega.

Commissioner Rettman requested that the word "swine" be removed from the Executive Summary of the documentation in keeping with the desires of the Center for Disease Control when discussing the influenza virus.

Roll Call: Ayes – Rettman, Bennett, Carter, McDonough, Ortega, Reinhardt, Parker – 7.
(2009-340)

WHEREAS, The nation has adopted an awareness of the need to increase the capacity of the public health system's ability to respond to pandemic influenza and other public health threats; and

WHEREAS, Congress has appropriated funding specific to state and local public health departments to meet this need; and

WHEREAS, Funding from the American Recovery and Reinvestment Act is available to Ramsey County to support and enhance the infrastructure critical to public health preparedness and response; and

WHEREAS, The Ramsey County Board of Commissioners recognizes the responsibility of local government to prepare for and respond to events caused by pandemic influenza or other public health threats; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners authorizes the County Manager to accept the \$417,279 Public Health Emergency Response (PHER) I/II Grant from the Minnesota Department of Health; and Be It Further

RESOLVED, The Board authorizes the County Manager to execute the PHER grant agreement and any amendments and renewals not to exceed the \$417,279 in a form to be approved by the County Attorney; and Be It Further

RESOLVED, The Board authorizes the County Manager to execute any necessary agreements, amendments and renewals related to the expenditure of the PHER funds, in a form to be approved by the County Attorney; and Be It Further

RESOLVED, The Board authorizes the County Manager to make all necessary budget adjustments, including increasing estimated revenue and appropriations; and Be It Further

RESOLVED, The Board approves an increase in the personnel complement of the Department of Public Health by up to 5.0 starred FTEs; and Be It Further

RESOLVED, The Board reaffirms its directive to the County Manager to minimize layoffs and to communicate all job postings and requirements and opportunities to applicable staff.

COUNTY MANAGER/BUDGETING & ACCOUNTIN/PUBLIC WORKS/PARKS AND RECREATION/ SHERIFF – Request of Funding from Contingent Account for Fuel and Mileage Reimbursement costs

Commissioner Reinhardt introduced the following resolution and moved its adoption, seconded by Commissioner McDonough.

Commissioner Rettman asked if the County is paying the increased fuel costs for the contract cities.

Julie Kleinschmidt, County Manager, responded affirmatively, but said the County would be charging the cities for our costs. She added that she would check on this and if her statement was not correct, she would report back to the Board.

Commissioner Rettman said she asked the question to acknowledge the true cost of doing business. This is not a moneymaker; this is a cost because of the differential between the amount in the 2009 budget and the actual costs in 2009.

Ms. Kleinschmidt said the charges to the contract cities are based on actual costs.

Roll Call: Ayes – Rettman, Bennett, Carter, McDonough, Ortega, Reinhardt, Parker – 7. (2009-341)

WHEREAS, The Public Works, Parks and Recreation and Sheriff's Departments use vehicles extensively in the performance of their missions; and

WHEREAS, The 2009 Budgets for fuel were prepared in 2007 based on prices known at that time, which have risen dramatically in 2007 and 2008; and

WHEREAS, The Public Works, Parks and Recreation and Sheriff's Departments are projecting shortages in 2009 fuel budgets which total \$199,000; and

WHEREAS, Mileage reimbursement for employees who must use their personal vehicles on Ramsey County business are set at the mileage rate established by the Internal Revenue Service; and

WHEREAS, County departments are projected to have shortages in mileage budgets which total \$114,998; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners authorized the County Manager to make a budget transfer from the 2009 Contingent Account to fuel accounts in the following departments:

Public Works	\$113,000
Sheriff	56,000
Parks and Recreation	<u>30,000</u>
Total	\$199,000

and Be It Further

(Continued)

RESOLVED, The Ramsey County Board of Commissioner authorizes the County Manager to make a budget transfer from the 2009 Contingent Account to mileage accounts in the following departments:

County Manager Admin	\$728
Property Records & Revenue	3,489
County Attorney	2,752
Property Management	474
Sheriff	422
Corrections	13,461
Public Works	1,187
Public Health	11,150
Parks & Rec	825
CHS	<u>80,810</u>
Total	\$114,998

PUBLIC WORKS – Temporary Loan for Right of Way Acquisition – TH 36/Rice Street Interchange

Commissioner Rettman moved approval of the draft resolution, seconded by Commissioner Reinhardt. Roll Call: Ayes – Rettman, Bennett, Carter, McDonough, Ortega, Reinhardt, Parker – 7. Nays – 0.

Commissioner Bennett moved for reconsideration, seconded by Commissioner Ortega. Roll Call: Ayes – Rettman, Bennett, Carter, McDonough, Ortega, Reinhardt, Parker – 7. Nays – 0.

Commissioner Bennett introduced the following resolution and moved its adoption, seconded by Commissioner Reinhardt.

Chair Parker requested some discussion on this request. She explained that the request is for a temporary loan for the right of way acquisition for the TH 36/Rice Street interchange project.

Julie Kleinschmidt, County Manager, said this is a deviation from the County’s standard policy regarding loans from the general fund to finance highway projects. This is the first time that a temporary cash loan has been requested for a project that does not have complete outside financing approved. This project does have overwhelming support, creates immediate jobs and investments, and it corrects a safety deficiency. The current bidding climate is very positive, and if we do not proceed, it will push this project off for another year.

Ken Haider, Director, Public Works, said we are down to about \$800,000 difference between garnered funding and the \$4.5M. There is \$2.2M of County State Aide Turnback dedicated funding available; there is \$1.5M of DEED money, which we are confident is coming, but we won’t know until tomorrow at the earliest. Adding the two together, it is \$3.7M, which leaves an \$800,000 gap we would be ‘risking’. Staff feel confident – we have met with our legislative representatives, who are also confident the money will be available.

Commissioner Bennett said this is similar with what we did with Medtronic; the difference there that we knew there was \$19M, with some language to be changed in the legislation. He asked Mr. Haider if the \$1.5M is money left over from the Medtronic project, and was told it was not. This is a DEED grant with the potential for the other DEED money. He was referring to some excess DEED money left over from the Medtronic project.

Chair Parker clarified that it is bioscience money.

Mr. Haider said it was just under \$1M.

Commissioner Bennett said that might make up the difference. We are counting on

(Continued)

Representative Scalze to work diligently to help get the money passed quickly. To a degree, this is a gamble, but it is urgent to get this project done. The bioscience corridor is St. Jude, Boston Scientific, and Medtronic – all three running through the northern part of Ramsey County. Their buildings are full. The bridges cannot handle the traffic.

Commissioner Bennett said a three-foot piece of concrete fell from the bridge at Highway 36 and Rice Street on the northbound lane. Though it wasn't our jurisdiction, Ramsey County Public Works fixed the hole. With this action, we are bailing out Mn/DOT a bit, but it is the only way we will get our roads done in this part of town. He will support this. There is a chance to pick up all the money needed because of some of the available monies. Everyone has done a great job, including Mn/DOT, in helping to put this together.

Commissioner Rettman said we have the ability to do this \$4.5M loan. This action has to be taken today to meet the construction date of June 1, 2010. But for this action, the risk is \$800,000. She assumes the Budget Office, the County Manager, and Public Works Engineer have accommodated that if the worst were to happen, but we have to exert as much pressure as possible on Mn/DOT and the legislature, to make sure we do not have this differential.

Mr. Haider responded affirmatively.

Commissioner Bennett said it is more critical than the June 1 deadline. The money has to be in the bank to purchase the right of way.

Mr. Haider said the money is needed in the bank now because we have to start making offers before the end of October. It is very critical and why this is on the first meeting in October to get this moving and to meet the June 1 deadline.

Commissioner Ortega said in the event that we are not successful at the legislature in recouping the \$800,000, where would the money come from.

Ms. Kleinschmidt said it would reduce the general fund balance.

Commissioner Ortega asked if it would come from contingency or reserves.

Ms. Kleinschmidt said staff would come to the Board with a Board Action to take it out of contingency.

Commissioner Carter cited the Mn/DOT bridge amount which states 'up to \$5M and secured'. If in fact the total amount is as set forth here, are we assured of that \$5M and that none of that is doubtful at this point?

Mr. Haider said the \$5M on the Mn/DOT bridge is secured and it is in Mn/DOT's program. The bridge over Highway 36 this last year went below a sufficiency rating of 50 so it is one of the bridges that should be financed and replaced, and Mn/DOT is taking that seriously.

Commissioner Carter asked if the 'up to \$5M' means it is based on what would be spent; why does it say 'up to \$5M'; is it that we were awarded \$5M?

Mr. Haider said we don't know exactly how much the bridge is going to cost. In fact, this project will require three Mn/DOT bridges so we will spend the \$5M.

Commissioner McDonough said the risk is if we are not successful and have to take the \$4.5M out of the general fund reserves -- what does that do to our policy in being 6.5%, and how that relates the potential affecting the bond rating, etc. If we took that out, it would lower our percentage in reserves.

Ms. Kleinschmidt said assuming it was transferred out of contingency, it wouldn't have an effect.

Commissioner McDonough asked how big our contingency is.

Ms. Kleinschmidt responded \$2M. It would be big enough to cover the \$800,000.

Chair Parker said the \$800,000 is what is at risk; the other funding has been confirmed.

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Commissioner Rettman referred to the \$800,000, and said there are two legislative sessions in which to get the money. This will be at the top of the list to bring the County whole because we have to finish this. This is a priority for Ramsey County. Rice Street runs all the way from St. Paul up through the northern suburbs. Everything is secured on the \$4.5M and the County will keep the pressure on to get this done.

Commissioner Ortega said there is a lot going on at the State Legislature. This may take two-three sessions to get this money back. If we don't get it back, he wanted to make sure where it would be coming from. The project is worth doing. The more we delay, we pay that much more. We will advocate getting the dollars, but in his mind, he is subtracting the \$800,000 from contingency leaving \$1.2M, and we may need to figure out how to live within that.

Commissioner Bennett said this is a State responsibility. We are stepping in because there is benefit to the entire County. The County took Rice Street back in 1999; it is ready to be upgraded. Two of the main obstacles along that route are this bridge and the bridge at I-694 and Rice Street. This is a State responsibility and why we are going back to the State for the money.

Commissioner Ortega agreed. We have about 100 other State responsibilities we are paying the bill for so this should be added to the list.

Chair Parker said this bridge is a good example for how these road projects get done these days. Looking at the list of funding – federal and state – it takes a lot of work for County staff to put this together. A lot of credit goes to Jim Tolaas; a tremendous amount of work has been done by our staff as well as the three cities this touches – Maplewood, Little Canada, and Roseville – on this important interchange. By taking this action, we are helping this go forward a year earlier than if we didn't take this action. If we wait, the costs will go up. By taking this action, we are minimizing the overall cost of the project. It is a risk, but one worth taking so she will support this.

Roll Call: Ayes – Rettman, Bennett, Carter, McDonough, Ortega, Reinhardt, Parker – 7.
(2009-342)

WHEREAS, In the fall of 2008, Ramsey County entered into Professional Services Agreement PW2008-19 with the consultant Team of SEH, Inc./KHA, Inc. for the purpose of Concept Development and completion of an Environmental Assessment (EA) and Preliminary Engineering (PE) for reconstructing the Trunk Highway 36/Rice Street Interchange and related roadway improvements; and

WHEREAS, This project is a cooperative effort including Ramsey County, MnDOT and the Cities of Little Canada, Roseville, and Maplewood with design and environmental studies being funded by a \$2M grant from the 2008 Legislative Session; and

WHEREAS, Proposed improvements tied to the project continue to gain unusually strong and widespread support; and

WHEREAS, A number of Amendments to the initial PE/EA were authorized to expand the initial scope of work in an effort to expedite project delivery with a construction start date of June 1, 2010; and

WHEREAS, The estimated construction cost is \$20.5M with funding being aggressively pursued from multiple sources; and the Right of Way costs are appraised at \$4.5M; and

(Continued)

WHEREAS, This very aggressive schedule includes a number of critical milestones – including key steps in the right of way process; and

WHEREAS, Acquisition offers to owners of parcels impacted by the project must be made before October 10, 2009 and sufficient funds to back those offers must be available for payment;

Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners authorizes a temporary cash loan in the amount of \$4.5M from the general fund, pending reimbursement from other funding sources secured for the project; and Be It Further

RESOLVED, The Ramsey County Board of Commissioners authorizes the County Manager to approve budget adjustments, increasing estimated revenues from turnback and DEED funds and appropriations for the purpose of right of way acquisition on this project.

PROPERTY MANAGEMENT – RCGC West Relocation Project – Purchase and Renovation of Metro Square Building, St. Paul, MN

Commissioner Reinhardt introduced the following resolution, as revised, and moved its adoption, seconded by Commissioner Carter.

Jolly Mangine, Director, Property Management, distributed copies of the proforma.

Roll Call: Ayes – Rettman, Carter, Ortega, Reinhardt, Parker – 5. Nays – Bennett, McDonough – 2. (2009-343)

WHEREAS, At the September 1, 2009, County Board meeting, the Board reiterated its strong commitment to moving County offices off of the riverfront and returning that land to the tax base; and

WHEREAS, The Board emphasized the importance of ensuring that the public's needs are served well in any new locations and that appropriate office space is provided for employees who would be relocated; and.

WHEREAS, On September 1, 2009, the Ramsey County Board of Commissioners authorized and approved the draft purchase agreement for the purchase of the Metro Square Building, St. Paul, Minnesota ("Metro Square") and directed staff to return to the Ramsey County Board with a final purchase agreement; a due diligence report; options to alleviate the potential impact on the County Attorney's Office and other departments affected by a move from the RCGC-West Building; total purchase, remodeling, and operational costs; a project schedule; and a financing plan, before the closing; and

WHEREAS, Property Management, working in conjunction with the County Attorney's Office, has included the following terms into the final purchase agreement with LNR Partners Incorporated:

- Earnest money of \$400,000 (fully refundable during the 30 day inspection period).
- Inspection period of 30 days.
- Closing on or before October 9, 2009; and

WHEREAS, The Due Diligence process has validated the earlier assumptions on Metro Square and has found no major cost or liability issues that would impede the Ramsey County Board's decision to purchase and remodel the property for its intended use as office space within the RCGC-West Relocation Project Budget; and

(Continued)

WHEREAS, The County Manager's Office and Property Management will convene a committee to look at the potential impact on the County Attorney's Office and other Departments moving to Metro Square, and the committee will work closely with the County Attorney's Office and other Departments to address potential impacts and opportunities, including but not limited to the following :

- Impact on delivery of services and opportunities to reengineer business processes.
- Security.
- Parking around the Court House and Metro Square.
- Office space in closer proximity to the Court House, which could be permanent space for some staff and temporary space for others.
- Office space must have connectivity to Information Services and Telecommunications network.

WHEREAS, Staff has prepared the total purchase, remodeling, and operational costs; a project schedule; and a financing plan for the County Board; and

WHEREAS, The financing plan is as follows:

\$ 1,101,600	Amended 2008-2009 Capital Improvement Program Budget which assigned the remaining Potential Project dollars to the RCGC - West Relocation Project
\$ 4,950,000	2010 – 20 year Bonds which may be in the form of General Obligation, Build AmericaBonds or Recovery Zone Economic Development Bonds
<u>\$14,650,000</u>	2011 – 20 year General Obligation Bonds
\$20,701,600	Total; and

WHEREAS, Federal rules for the tax-exemption of bonds require the proceeds to be spent for the purpose for which the bonds are issued; and

WHEREAS, Proceeds used to reimburse expenditures originally paid from a source other than bond proceeds are not considered expended unless the issuer, within 60 days after payment of the original expenditure, adopts an official intent to reimburse such expenditure; and

WHEREAS, The bonds for the RCGC-West Relocation Project may be tax-exempt, or may be taxable Build America Bonds receiving a 35% federal subsidy for interest paid, or may be taxable Recovery Zone Economic Development Bonds receiving a 45% federal subsidy for interest paid; Now, Therefore, Be It

RESOLVED, That the Ramsey County Board of Commissioners authorizes and approves the final purchase agreement for the purchase of the Metro Square for the purchase price of \$4,000,000; and Be It Further

RESOLVED, That the Ramsey County Board of Commissioners authorizes the Chair and Chief Clerk to sign and deliver the final Agreement for Sale and Purchase of Property on behalf of the County, subject to prior approval by the County Attorney's Office, Budgeting and Accounting and Property Management; and Be It Further

(Continued)

RESOLVED, That the Ramsey County Board of Commissioners authorizes the County Manager to execute and deliver on its behalf all necessary documents required by or deemed necessary to carry out the purposes of the Agreement for Sale and Purchase of Property, subject to prior approval by the County Attorney's Office; and Be It Further

RESOLVED, That the Ramsey County Board of Commissioners accepts the Metro Square due diligence report; and Be It Further

RESOLVED, That the Ramsey County Board of Commissioners accepts and approves the Metro Square estimated purchase, remodeling, and operational costs; project schedule; and financing plan; and Be It Further

RESOLVED, That the Ramsey County Board of Commissioners approves the following financing plan:

\$ 1,101,600	Amended 2008-2009 Capital Improvement Program Budget which assigned the remaining Potential Project dollars to the RCGC - West Relocation Project
\$ 4,950,000	2010 – 20 year Bonds which may be in the form of General Obligation, Build America Bonds or Recovery Zone Economic Development Bonds
<u>\$14,650,000</u>	2011 – 20 year General Obligation Bonds
\$20,701,600	Total;

and Be It Further

RESOLVED, That the Ramsey County Board of Commissioners directs the County Manager to develop and return to the County Board with options to alleviate potential impact on the County Attorney's Office and other departments affected by the move and authorizes the County Manager to execute contracts and agreements for consulting services; and Be It Further

RESOLVED, That the Ramsey County Board of Commissioners authorizes Property Management to issue a Request for Proposals for architectural/engineering services for the remodeling of the Metro Square as a part of the RCGC-West Relocation Project, in accordance with the County Board policies, and return to the County Board with a recommendation for selection of a proposer; and Be It Further

RESOLVED, That the Ramsey County Board of Commissioners authorizes the County Manager to make all necessary payments and budget adjustments, execute contracts and agreements related to the purchase and remodeling of the Metro Square, within the \$20,692,205 RCGC-West Relocation Project budget; and Be It Further

RESOLVED, That the Ramsey County Board of Commissioners authorizes and approves that all costs, expenses, taxes, charges or fees that Ramsey County is required to pay at closing, or otherwise required by the purchase agreement, may be paid from the RCGC-West Relocation Project budget; and Be It Further

RESOLVED, That the Ramsey County Board of Commissioners authorizes the County Manager to execute an agreement with CB Richard Ellis for temporary building management services for the operation of the Metro Square; and Be It Further

(Continued)

RESOLVED, That the Ramsey County Board of Commissioners authorizes and approves a temporary cash loan from the General Fund to the Capital Projects Building Fund to be reimbursed from 2010 and 2011 bond proceeds, with a maximum principal amount of obligations expected to be issued for the RCGC-West Relocation Project, generally described as the acquisition and renovation of the Metro Square building, including furniture, fixtures and equipment, and the payment of relocation expenses, of \$20,000,000; and Be It Further

RESOLVED, That the Ramsey County Board of Commissioners authorizes the County Manager to make all necessary adjustments, including an increase in estimated revenue, to establish the 2009 Metro Square operating budget in the amount of \$361,292; and Be It Further

RESOLVED, That the Ramsey County Board of Commissioners authorizes the County Manager to make all necessary adjustments to the 2010 and 2011 operating budgets affected by the RCGC-West Relocation Project; and Be It Further

RESOLVED, That the Ramsey County Board of Commissioners authorizes the use of General County Building Fund Balance to be used to balance the Metro Square and RCGC-West operating budgets during the RCGC-West Relocation Project.

OUTSIDE BOARD AND COMMITTEE REPORTS

Commissioner Reinhardt reported:

- On a meeting of the Rush Line Corridor Task Force where an agreement was reached with the Metropolitan Council regarding the funding for capital projects along the Corridor. The RFP will go out; hopefully by the end of 2009 or early 2010 there will be a commuter bus coming from the Columbus Township area to downtown St. Paul.
- She participated in a discussion and tour at the Employment Action Center.
- The Product Policy Institute forum was held in the City of St. Paul with a two-day meeting on extended producer responsibility.

Commissioner Carter reported:

- On the third hearing on performance and outcomes of the Human Services redesign. They approved the list of mandated services, those currently on the books in legislation now as a starting point for looking across the kinds of outcomes being sought and the types of performance measures to assure those outcomes. Four work groups were commissioned to begin the work, and dates have been set for meetings in November and December to be able to provide comments to the legislature as required by February 15.
- On a Workforce Investment Board (WIB) meeting. They welcomed a new member in Economic Development, Janet Luddin. The size of the WIB is being considered. Due to recent legislation, there must be a member of the adult basic education community which would add four new members to the WIB. A recommendation will come to the County Board for either increasing the number to 37 or keeping it at 33 with some other alternative.
- On a Grant Evaluation and Reporting (GEARS) meeting, a committee of the CTIB (Counties Transit Improvement Board). They looked over the grant applications for 2010 and considered recommendations that will go to CTIB for consideration.

(Continued)

- On the annual Artability event put on by People Incorporated, a center for people with mental illnesses. The clients present their own work at this exhibit.
- On the groundbreaking for Pilgrim Baptist Church conducting an expansion for elevators and classroom space.

Commissioner Ortega reported:

- On the Sunday tour of the Union Depot attended by Senator Franken, several Commissioners and staff, representatives from the Mayor's Office, and representation from the Chamber. There was a great discussion and everyone let Senator Franken know how pivotal the Union Depot is, where we are, and that we are the only State project up for stimulus money. The Union Depot is going to be the most powerful magnet for transit in the entire state.

Commissioner Bennett:

- Pointed out the Extreme Makeover project going on in Commissioner Ortega's district on Prescott Street, the home of a Ramsey County daycare provider.

ADJOURNMENT

There being no further business, Chair Parker declared the meeting adjourned.

Bonnie C. Jackelen, Chief Clerk – County Board