

HENNEPIN COUNTY

MINNESOTA

FINAL COMMITTEE AGENDA

PUBLIC WORKS COMMITTEE

TUESDAY, SEPTEMBER 26, 2023

1:30 PM

Chair: Kevin Anderson, District 7
ViceChair: Marion Greene, District 3
Members: Jeff Lunde, District 1
Irene Fernando, District 2
Angela Conley, District 4
Debbie Goettel, District 5
Vacant, District 6

1. Minutes from Previous Meeting

1.A. September 12, 2023 Minutes - Public Works

2. New Business

Items for Discussion and Action

2.A. [23-0363](#)

Neg Agmt PR00005641 with Met Council for operations funding of METRO Orange Line BRT; neg Agmt A2311956 with Met Council pertaining to termination of agmts A188684, PR00004836, PR00004837 and PR00004835

2.B. [23-0364](#)

Authorization to apply for a 2023 Minnesota Highway Freight Program funding grant

2.C. [23-0365](#)

Authorize Section 5310 TCAP grant application to MnDOT; neg Agmt A2311952 with State of MN, 01/01/24-12/31/25, est \$409,740 (recv)

2.D. [23-0366](#)

Neg 25 Healthy Tree Canopy grant agmts, during the period of 10/03/23-12/01/24, total combined NTE \$499,723.64

HENNEPIN COUNTY

300 South Sixth Street
Minneapolis, MN
55487-0240

MINNESOTA

Board Action Request

TMP-0441

Item Description:

September 12, 2023 Minutes - Public Works

HENNEPIN COUNTY

MINNESOTA

COMMITTEE MINUTES

PUBLIC WORKS COMMITTEE

TUESDAY, SEPTEMBER 12, 2023

1:30 PM

Chair: Kevin Anderson, District 7
ViceChair: Marion Greene, District 3
Members: Jeff Lunde, District 1
Irene Fernando, District 2
Angela Conley, District 4
Debbie Goettel, District 5
Chris LaTondresse, District 6

Commissioner Anderson, Chair, called the meeting of the Public Works Committee for Tuesday, September 12, 2023 to order at 2:52 p.m.

Present: Kevin Anderson, Marion Greene, Irene Fernando, Angela Conley, Debbie Goettel, Chris LaTondresse and Jeff Lunde

1. Minutes from Previous Meeting

1.A. August 15, 2023 Minutes - Public Works

APPROVE

Commissioner Angela Conley moved, seconded by Commissioner Jeff Lunde, to approve the Minutes.

Aye: Commissioner Anderson, Commissioner Greene, Commissioner Fernando, Commissioner Conley, Commissioner Goettel, Commissioner LaTondresse and Commissioner Lunde

2. New Business

Routine Items

2.A. [23-0343](#)

Release drainage, utility, sightline and retaining wall easements no longer needed for transportation related purposes along CSAH 19 (Smithtown Road) in the cities of Shorewood and Tonka Bay

CONSENT

Commissioner Irene Fernando moved, seconded by Commissioner Jeff Lunde, to approve the Resolution.

Aye: Commissioner Anderson, Commissioner Greene, Commissioner Fernando, Commissioner Conley, Commissioner Goettel, Commissioner LaTondresse and Commissioner Lunde

There being no further business, the Public Works Committee for September 12, 2023 was declared adjourned at 2:53 p.m.

Karen L Keller
Deputy Clerk to the County Board

Board Action Request

23-0363

Item Description:

Neg Agmt PR00005641 with Met Council for operations funding of METRO Orange Line BRT; neg Agmt A2311956 with Met Council pertaining to termination of agmts A188684, PR00004836, PR00004837 and PR00004835

Resolution:

BE IT RESOLVED, that the County Administrator be authorized to negotiate Agreement PR00005641 with the Metropolitan Council for operations of the METRO Orange Line Bus Rapid Transit from December 2021 through September 2023, with an estimated contract amount of \$2,917,947; and that following review and approval by the County Attorney's Office, the Chair be authorized to sign the amendment on behalf of the County; and

BE IT FURTHER RESOLVED, that the County Administrator be authorized to negotiate Agreement A2311956, a memorandum of understanding with the Metropolitan Council pertaining to the termination of Agreements A188684 [Master Operations Funding Agreement], PR00004836 [Green Line light rail transit operating grant], PR00004837 [Blue Line light rail transit operating grant], and PR00004835 [North Star commuter rail transit operating grant] on October 1, 2023, pursuant to Laws of Minnesota 2023, Chapter 68, Article 3, Section 35, and that following review and approval by the County Attorney's Office, the Chair be authorized to sign the agreement on behalf of the County; and

BE IT FURTHER RESOLVED, that the Controller be hereby authorized to transfer and disburse funds as necessary to carry out the intent of this Resolution.

Background:

History: Resolution 17-0207, adopted by the Board on June 13, 2017, commits Hennepin County to fund a portion of the net operating costs for four transit lines located wholly or partially within Hennepin County. The resolution committed the County to pay 50% of the net operating costs of the Blue Line light rail (Project Number 1006448), 30% of the net operating costs of the Green Line light rail (Project Number 1006449), 9.3% of the net operating costs of the Northstar commuter rail (Project Number 1006450), and 43% of the net operating costs of the METRO Orange Line. The County made these commitments in reliance on commitments by other counties to likewise pay appropriate shares of these net operating costs, including a commitment by Dakota County to pay 7% of the net operating costs of the Orange Line.

Resolution 18-0109, adopted by the Board on March 27, 2018, authorized the execution of a Master Operations Funding Agreement ("MOFA") (A188684) with the Metropolitan Council, Anoka County, Hennepin County and Ramsey County. This four-party agreement identifies the terms and conditions for county contributions to operations of the Blue Line, Green Line, and Northstar. It provided for payment of funding for transitway operations through annual grant agreements, following submission

of grant applications by the Metropolitan Council. Each year since adoption of the MOFA, the Metropolitan Council has submitted such applications and the parties have accordingly executed the planned annual agreements. The most recent annual agreements between the Metropolitan Council and Hennepin County were approved by Resolution 22-0493 on November 29, 2022.

The METRO Orange Line began operations in December of 2021. Since that time, County staff have been in negotiations with the Metropolitan Council and Dakota County to establish an operations funding agreement for the Orange Line. However, no funding agreement has been executed.

In its 2023 Session, the Minnesota Legislature enacted an Omnibus Transportation Act modifying the ways in which net operating costs of transitways must be funded. This law requires that, beginning on October 1, 2023, the Metropolitan Council pay all future net operating costs for all of its transitways. It requires that the County pay its promised share of all net operating costs through September 30, 2023, for the lines covered by the MOFA. It also requires that “a political subdivision must pay to the Metropolitan Council... 50 percent of the net operating costs” for the Orange Line through September 30, 2023.

This Resolution would authorize negotiation of two agreements to resolve all outstanding obligations between the Metropolitan Council and Hennepin County regarding the operating costs of these four lines. Agreement PR00005641 relates to the Orange Line. This agreement would provide for Hennepin County to pay 43% of net operating costs incurred by the Metropolitan Council for the line since it began operations in December of 2021. Under the proposed agreement, Hennepin County would make a payment before September 30, 2023, of \$2,917,947, the estimated amount of Hennepin County’s contribution for the time period December 2021 through September 2023. The agreement would also include a reconciliation process to resolve any discrepancy between this estimated amount and Hennepin County’s share of actual net operating costs through September 30, 2023. The parties would agree that payment of this Hennepin County share pursuant to this agreement would satisfy all obligations of the County to the Council for operating costs of the Orange Line, whether arising from state law or any other source.

The second agreement, A2311956, is a memorandum of understanding between the County and the Metropolitan Council to resolve all outstanding obligations related to the MOFA and the transit lines covered by the MOFA. It would provide for payment to the Metropolitan Council of all funds owed by Hennepin County for net operating costs on those lines through September 30, 2023. The agreement would also include a reconciliation process to resolve any discrepancy between the planned quarterly payments and Hennepin County’s share of actual costs through September 30, 2023. It would then acknowledge the termination of the MOFA and the annual agreements for the Blue Line, Green Line, and Northstar, pursuant to Laws of Minnesota 2023, Chapter 68, Article 3, Section 35.

Under the current annual agreement for the Blue Line (PR00004837), the County would contribute \$ 15,012,903 for operations on that line in 2023. Termination of that agreement on October 1 is expected to reduce the County contribution to \$11,259,678.

Under the current annual agreement for the Green Line (PR00004836), the County would contribute \$9,052,214 for operations on that line in 2023. Termination of that agreement on October 1 is expected to reduce the County contribution to \$6,789,161.

Under the current annual agreement for Northstar (PR00004835), the County would contribute

\$1,105,810 for operations on that line in 2023. Termination of that agreement on October 1 is expected to reduce the County contribution to \$829,358.

Current Request: This resolution would authorize negotiation of Agreement PR00005641, with an estimated contract amount of \$2,917,947 for net operating costs of the METRO Orange Line Bus Rapid Transit line from December 2021 through September 2023; and negotiation of Agreement A2311956, a Memorandum of Understanding with the Metropolitan Council pertaining to termination of Agreements A188684 [MOFA], PR00004836 [Green], PR00004837 [Blue], and PR00004835 [North Star] on October 1, 2023.

Impact/Outcomes: Resolution of all outstanding obligations for operating costs of the METRO Blue, Green, and Orange lines and the Northstar commuter rail. These lines provide essential transit services to Hennepin County residents. This financial commitment aligns with county goals of reducing transportation disparities for residents and advancing climate action efforts.

Recommendation from County Administrator: Recommend Approval

MINNESOTA

Board Action Request

23-0364

Item Description:

Authorization to apply for a 2023 Minnesota Highway Freight Program funding grant

WHEREAS:

WHEREAS, the Minnesota Department of Transportation has given notice that federal funding through the Minnesota Highway Freight Program is available; and

WHEREAS, a county board resolution is required as part of the application submittal.

Resolution:

BE IT RESOLVED, that staff be authorized to apply for federal funding through the Minnesota Highway Freight Program for the County State Aid Highway 23 (Marshall Street NE) from Third Avenue to County State Aid Highway 153 (Lowry Avenue) project, capital project (CP) 2984500, in the city of Minneapolis; and

BE IT FURTHER RESOLVED, that Hennepin County recognizes its role as the public agency sponsor for the above project, including the required local match, if federal funding is awarded; and

BE IT FURTHER RESOLVED, that sponsorship and acceptance of grant funding for the abovementioned project by the Hennepin County Board of Commissioners does not imply a continued commitment by Hennepin County for this project in the event that grant funds are no longer available.

Background:

The Minnesota Highway Freight Program (MHFP) is a federal formula program that provides funding assistance for construction projects along public roadways that provide freight transportation benefits. These funds were made available through the creation of the Infrastructure Investment and Jobs Act.

In August 2023, the Minnesota Department of Transportation announced its MHFP for state fiscal years 2026-2028 with applications due October 13, 2023. Projects must be located along tier one, two, or three corridors as identified in the Metropolitan Council Truck Highway Corridor Study and must improve freight safety, mobility, or efficiency. The 2023 MHFP solicitation includes approximately \$65 million statewide with a maximum project award of \$11 million. A 20% local match is required.

Public Works identified Marshall Street as a MHFP candidate based on the scoring criteria, including freight volume, safety, mobility, and facility access.

Current Request: Authorization to apply for the 2023 MHFP solicitation for Marshall Street NE from Third Avenue to Lowry Avenue, CP 2984500.

Impacts/Outcomes: This project will improve accessibility, mobility, and safety for all users.

Recommendation from County Administrator: Recommend Approval

CP 2984500

CSAH 23 (Marshall St NE) Minnesota Highway Freight Program Application in Minneapolis



BAR map date:
9/1/2023



MINNESOTA

Board Action Request

23-0365

Item Description:

Authorize Section 5310 TCAP grant application to MnDOT; neg Agmt A2311952 with State of MN, 01/01/24-12/31/25, est \$409,740 (recv)

Resolution:

BE IT RESOLVED, that the County Administrator be authorized to submit a grant application to the Minnesota Department of Transportation (MnDOT) for the Transit Coordination Assistance Projects (TCAP) Federal Transit Administration Section 5310 Grant Program, for the period of January 1, 2024, through December 31, 2025, with an estimated receivable amount \$409,740; and

BE IT FURTHER RESOLVED, that the County Administrator be authorized to negotiate Agreement A2311952 with the State of Minnesota to receive the TCAP Section 5310 grant, during the period of January 1, 2024, through December 31, 2025, with an estimated receivable amount of \$409,740; that following the review and approval by the County Attorney's Office, the Chair of the Board be authorized to sign the agreement on behalf of the county, and that the Controller be authorized to accept and disburse funds as directed; and

BE IT FURTHER RESOLVED, that if the grant is awarded Hennepin County shall provide the required 20% matching funds, in an amount not to exceed \$81,950; and

BE IT FURTHER RESOLVED, that sponsorship and acceptance of grant funding for the program by the Hennepin County Board of Commissioners does not imply a continued commitment by Hennepin County to this program when grant funds are no longer available.

Background:

The Section 5310 program seeks to enhance the mobility of seniors and individuals with disabilities, to promote statewide planning and regional coordination between entities that provide service to people with disabilities and seniors, and to provide capital and operating resources to these entities and communities throughout the State of Minnesota.

The Hennepin County Transit and Mobility Department will develop a strategy that is designed to improve transportation access for vulnerable populations and coordination across transportation providers. This strategy will work to solve the issue of unmet travel needs for individuals with disabilities and seniors in Hennepin County and assess the costs of transportation services associated with Hennepin County clients. The grant provides funding for hiring a Mobility Manager tasked with the implementation of a Mobility Advisory Committee to bring together a diverse community-based group to form program goals that meet community transportation needs. This grant will also provide funding assistance toward consolidating and unifying a county-wide transportation program to include on-demand trips to ensure individuals who receive disability waivers regularly attend day support programs, engage with their communities, and, for many, seek and maintain employment.

The Section 5310 program requires each applicant to provide a resolution from its governing body authorizing the submission of an application and subsequent execution of a contract with the State of Minnesota. This

Resolution would provide such authorization. Notification of grant award will be issued in November 2023.

Current Request: Authorization to submit a TCAP grant application to MnDOT to advance mobility options for seniors and individuals with disabilities, and upon grant award, authorize negotiation of agreement A2311952 with the State of Minnesota for the period of January 1, 2024, through December 31, 2025, in an estimated receivable amount of \$409,740.

Impact/Outcome: The 5310 TCAP grant will provide resources to identify and add services to meet the travel needs of vulnerable people and identify and initiate system efficiencies across transportation service providers.

This request supports the county's priorities and goals to reduce disparities in transportation and connectivity.

Recommendation from County Administrator: Recommend Approval

MINNESOTA

Board Action Request

23-0366

Item Description:

Neg 25 Healthy Tree Canopy grant agmts, during the period of 10/03/23-12/01/24, total combined NTE \$499,723.64

Resolution:

BE IT RESOLVED, that the County Administrator be authorized to negotiate the following 25 Healthy Tree Canopy grant agreements, during the period October 3, 2023 through December 1, 2024, with a combined total amount not to exceed \$499,723.64:

- Agreement PR00005621 with the City of Brooklyn Center, in an amount not to exceed \$29,751.79
- Agreement PR00005580 with the City of Brooklyn Park, in an amount not to exceed \$50,000
- Agreement PR00005588 with the City of Champlin, in an amount not to exceed \$19,807
- Agreement PR00005585 with the City of Crystal, in an amount not to exceed \$50,000
- Agreement PR00005587 with the City of Eden Prairie, in an amount not to exceed \$45,269.03
- Agreement PR00005584 with the City of Excelsior, in an amount not to exceed \$20,596
- Agreement PR00005586 with the City of Medicine Lake, in an amount not to exceed \$5,000
- Agreement PR00005622 with the City of Minnetrista, in an amount not to exceed \$7,325
- Agreement PR00005579 with the City of New Hope, in an amount not to exceed \$33,000
- Agreement PR00005581 with the City of Orono, in an amount not to exceed \$33,150
- Agreement PR00005578 with the City of Plymouth, in an amount not to exceed \$20,500
- Agreement PR00005583 with the City of St. Anthony, in an amount not to exceed \$21,030
- Agreement PR00005582 with the City of Wayzata, in an amount not to exceed \$24,963.82
- Agreement PR00005571 with the Boisclair Corporation, in an amount not to exceed \$20,000
- Agreement PR00005572 with the Boisclair Corporation, in an amount not to exceed \$20,000
- Agreement PR00005573 with the Independent School District 271, in an amount not to exceed \$10,000
- Agreement PR00005574 with the Independent School District 273, in an amount not to exceed \$10,000
- Agreement PR00005576 with the Independent School District 273, in an amount not to exceed \$10,000
- Agreement PR00005577 with the Independent School District 273, in an amount not to exceed \$10,000
- Agreement PR00005575 with the Special School District 1, in an amount not to exceed \$10,000
- Agreement PR00005596 with the Church of St. Thomas the Apostle, in an amount not to exceed \$10,000
- Agreement PR00005597 with Bloomington Neighbors Nurturing Nature, in an amount not to exceed \$10,000
- Agreement PR00005600 with Missions, Inc. Programs in an amount not to exceed \$9,990
- Agreement PR00005598 with Vibrant and Safe Downtown, in an amount not to exceed \$9,341
- Agreement PR00005599 with Tree Trust, in an amount not to exceed \$10,000; and

BE IT FURTHER RESOLVED, that upon review and approval by the County Attorney's Office, the County Administrator be authorized to sign the agreements on behalf of the County; that costs incurred by the grantees after the board approval date be eligible for reimbursement upon the execution of the agreements; and that the Controller be authorized to disburse funds as directed.

Background:

In 2019, the board established the Healthy Tree Canopy Grants program to provide funding to cities, affordable housing providers, schools, and non-profits to enhance the county's tree canopy in a total not-to-exceed amount of \$500,000 per calendar year (Resolution 19-0185). The goals of the grants are to combat threats to trees from invasive insects and diseases; promote the development of a more diverse, resilient, and equitable tree canopy; and support efforts to educate the public on tree care and the importance of trees. To date, 116 grants have been awarded to 25 affordable housing projects, 47 city projects, 19 school projects, and 25 non-profit projects to improve the overall tree canopy cover.

Emerald Ash Borer alone is expected to kill one million ash trees (approximately 15 percent of the county's tree canopy) in Hennepin County. Based on experience from other states, the effects of Emerald Ash Borer are becoming overwhelming to local municipalities' financial and staffing capabilities. This will result in the removal of trees without replacement and a corresponding decline in the tree canopy and associated benefits.

Staff completed a countywide data analysis that identified a correlation between tree canopy deficient areas and areas of disparities in air quality, health, income, and housing and developed a Tree Planting Prioritization Map. Planting trees in high priority areas of the county will help make the tree canopy more equitable and help reduce environmental, health, and economic disparities. Without proactive efforts to improve the tree canopy, the loss of trees from Emerald Ash borer will exacerbate these disparities and health risks (see attachment 1). Twelve of these projects will fund canopy improvements in medium and high priority areas.

The county solicited proposals in April 2023 and conducted outreach to potential grant applicants during the request for proposal process. Staff led direct outreach efforts to affordable housing providers, schools, non-profits, and cities. A committee of representatives from Hennepin County and the University of Minnesota reviewed applications. Applications were evaluated on project need, positive impacts to tree prioritization areas, the potential for tree canopy enhancements, and eligibility aligned with grant guidelines.

Funding for the grants comes from the Solid Waste Enterprise Fund. This request seeks approval for grantees to incur costs after the board approval date, with reimbursements being paid upon execution of the grant agreements.

Current Request: This request is for County Administrator authorization to negotiate 25 Healthy Tree Canopy Grant agreements in 2023, grant terms running for the period of October 3, 2023 through December 1, 2024, with the combined total not to exceed amount of \$499,723.64. Board authorization is required because several of the proposed grantees have other contracts with the county that exceed \$100,000.

The tree canopy improvement grants are summarized below.

Cities

- **Brooklyn Center** - \$29,751.79 to remove 13 ash trees, and plant 55 replacement trees
- **Brooklyn Park** - \$50,000 to remove 30 ash trees, stock gravel bed with 60 bareroot trees, conduct Emerald Ash Borer education, treat existing ash trees, and hold volunteer tree planting events to replace 30 ash trees
- **Champlin** - \$19,807 to remove 35 ash trees, plant 35 replacement trees, and treat 35 ash trees

- **Crystal** - \$50,000 to remove 10 ash trees and plant 40 replacement trees
- **Eden Prairie** - \$45,269.03 to remove and replace 42 ash trees, and create educational Emerald Ash Borer signage for the public
- **Excelsior** - \$22,596 to plant 27 trees, purchase treatment equipment, and train staff
- **Medicine Lake** - \$5,000 to establish a city-wide tree inventory
- **Minnestrista** - \$7,325 to establish a gravel bed nursery
- **New Hope** - \$33,000 to plant 75 trees to replace ash tree removals
- **Orono** - \$33,150 to develop an urban tree management plan and an Emerald Ash Borer management plan
- **Plymouth** - \$20,500 to create an urban forest management plan
- **St. Anthony** - \$21,030 to remove 20 ash trees and plant 25 replacement trees
- **Wayzata** - \$24,963.82 to remove 35 ash trees and plant 40 replacement trees

Affordable Housing

- **Boisclair Corporation** - \$20,000 to remove 10 ash trees at the Highlands and plant 12 replacement trees in Bloomington
- **Boisclair Corporation** - \$20,000 to remove 10 ash trees at Penn Place and plant 12 replacement trees in Bloomington

Non-profits/Schools

- **ISD 271** - \$10,000 to plant 43-70 trees on school property in Bloomington
- **ISD 273** - \$10,000 to remove 10 ash trees and plant 10 replacement trees at Concord Elementary School in Edina
- **ISD 273** - \$10,000 to remove 14 ash trees and plant 14 replacement trees at Normandale Elementary School in Edina
- **ISD 273** - \$10,000 to remove 4 ash trees and plant 4 replacement trees at South View Middle School in Edina
- **Special School District 1** - \$10,000 to plant 49 trees across 9 different school properties in Minneapolis
- **Church of St. Thomas the Apostle** - \$10,000 to remove 5 ash trees and plant 11 replacement trees in Minneapolis
- **Bloomington Neighbors Nurturing Nature** - \$10,000 to conduct a tree inventory and create a tree management plan for Bloomington Public Schools
- **Missions, Inc. Programs** - \$9,990 to remove 4 ash trees and plant 6 replacement trees in Plymouth
- **Tree Trust** - \$10,000 to hold an educational event and plant 30 trees at a school in Bloomington
- **Vibrant and Safe Downtown** - \$9,341 to maintain 250 newly planted trees in Minneapolis

Impact/Outcomes: The tree canopy improvement grants will promote a more diverse, resilient, and equitable tree canopy. Trees provide many benefits, including improving air quality by absorbing fine particulate matter and other pollutants and intercepting stormwater runoff. Trees also provide shade, reduce the urban heat island effect, reduce stress, and increase property values.

Through this award, applicants will plant a total of 640 trees. A typical 20-year-old large shade tree intercepts 1,394 gallons of rainfall per year which could equate to 600,000 gallons of stormwater intercepted annually by trees planted through this grant. A typical mature tree can absorb 48 pounds of carbon dioxide per year which could equate to almost 21,000 pounds of carbon dioxide absorbed per year by trees planted through this grant.

The grants will:

- Fund the collection of data through tree inventories, which is critical to start responding to Emerald Ash

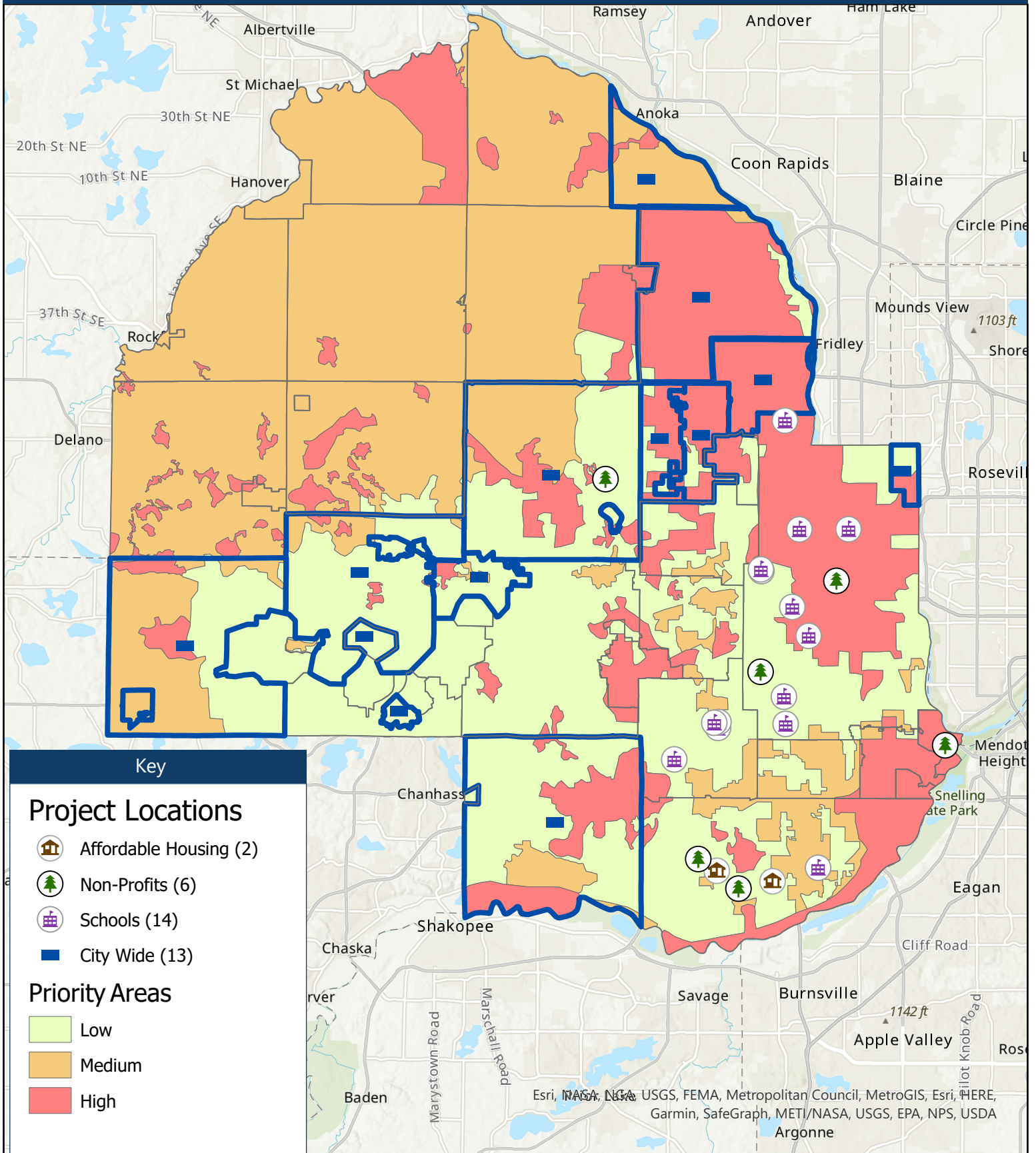
Borer.

- Mitigate the effects of tree pests and pathogens by improving municipal forestry capacity.
- Educate residents on the benefits of trees and engage them in planting efforts.
- Improve livability and reduce disparities by planting trees in neighborhoods throughout the county experiencing disproportionate amounts of economic, environmental, and health inequities.
- Mitigate the impacts of climate change through trees, which have the ability to reduce air pollution and stormwater run-off and counteract the urban heat island effect.

Recommendation from County Administrator: Recommend Approval

2023 Healthy Tree Canopy Grant Projects

2023 Healthy Tree Canopy Grant project locations | Hennepin County Public Works



Disclaimer: This map (i) is furnished "AS IS" with no representation as to completeness or accuracy; (ii) is furnished with no warranty of any kind; and (iii) is not suitable for legal, engineering or surveying purposes. Hennepin County shall not be liable for any damage, injury or loss resulting from this map.

