

# HENNEPIN COUNTY

## MINNESOTA

### BOARD MINUTES

Chair: Marion Greene, District 3  
Vice-Chair: Debbie Goettel, District 5

#### BOARD OF HENNEPIN COUNTY COMMISSIONERS

TUESDAY, APRIL 11, 2023

1:30 PM

Members: Jeff Lunde, District 1  
Irene Fernando, District 2  
Angela Conley, District 4  
Chris LaTondresse, District 6  
Kevin Anderson, District 7

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The Board of County Commissioners of Hennepin County, Minnesota, met in the Hennepin County Government Center in the City of Minneapolis, at 1:32 PM.

The meeting was called to order by Commissioner Fernando, Chair, and all Commissioners were present.

Pursuant to Minnesota Statutes 375.12 and Hennepin County Board Resolution No. 04-5-232, the County Board has directed the Clerk of the Board to publish the board proceedings in a summary manner that conforms to Minnesota Statute 331A.01. The following includes item descriptions, resolution numbers and final disposition of each item dealt with at the meeting. The full text of the board proceedings is available in the Clerk of the Board's office located at A2400 Government Center, Minneapolis, Minnesota and also is available at [hennepin.us](http://hennepin.us), the County's website.

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Commissioner Irene Fernando began by reading the Land and Water Acknowledgment.

**1. Pledge of Allegiance**

Commissioner Irene Fernando led the Pledge of Allegiance.

**2. Approval of Agenda**

**APPROVED**

**Commissioner Kevin Anderson moved to approve the Agenda, seconded by Commissioner Jeff Lunde and approved - 7 Yeas**

**3. Hennepin Highlights**

A. Earth Day Highlights

Commissioner Debbie Goettel introduced the topic, followed by a presentation given by Alisa Reckinger.

**4. Minutes from Previous Meeting**

A. March 21, 2023 Minutes

**APPROVED**

**Commissioner Jeff Lunde moved to approve the Minutes, seconded by Commissioner Marion Greene and approved - 7 Yeas**

**5. Referral of Correspondence and Department Communications**

**Commissioner Debbie Goettel moved to refer as recommended, seconded by Commissioner Angela Conley and approved - 7 Years**

A. Correspondence

**23-N0015**

Ltr - 1. Kevin Griebenow, P.E. Regional Engineer, FERC - RE: 2022 Emergency Action Plan

Status Report. - 2. Shawn Wink, Resident and Real Estate Services - RE: TIF District Minneapolis. - 3. Dawanna S. Witt, Hennepin County Sheriff - RE: Independent body-worn camera audit report.

**REFERRED AS RECOMMENDED**

**23-N0016**

Claim/Summons - 1. 2/24/23 - Benjamin & Heather Ritger - RE: Motor vehicle property damage. - 2. 3/16/23 - Drew Epperly, Sand Law, LLC - RE: Joseph Holupchinski, Motor vehicle accident. - 3. 12/11/23 - Jamarr-Edward Casso - RE: Jamarr-Edward Casso vs, Hennepin County Sheriff's Office. - 4. 3/16/23 - Scott B. Landsman, HOFF BARRY, P.A. - RE: City of Maple Grove, a Minnesota municipal corporation vs, County of Hennepin. - 5. 3/17/23 - Louis Voyer - RE: Motor vehicle property damage. - 6. 3/22/23 - Tim Phillips - RE: Janely Rodriguez vs, County of Hennepin. - 7. 3/22/23 - Helen V. Sullivan-Looney - RE: Metropolitan Council, a public corporation and political subdivision of the State of Minnesota vs, County of Hennepin. - 8. 3/24/23 - Monica Elisa Wegner - RE: Monica Elisa Wegner vs, Hennepin County. - 9. 3/27/23 - Helen V. Sullivan-Looney - RE: Metropolitan Council, a public corporation and political subdivision of the State of Minnesota vs, County of Hennepin. - 10. 3/30/23 - Tony Rosso - RE: Property Damage. - 11. 3/31/23 - David Homan - RE: David Homan vs, County of Hennepin. - 12. 3/31/23 - Henry Johnson - RE: Henry Johnson vs, Hennepin County.

**REFERRED AS RECOMMENDED**

B. Department Communications

**Commissioner Debbie Goettel moved to refer as recommended, seconded by Commissioner Angela Conley and approved - 7 Years**

**23-0166**

Claims Register for the period ending April 14, 2023

**REFERRED AS RECOMMENDED**

**23-0167**

Claims Register for the period ending April 21, 2023

**REFERRED AS RECOMMENDED**

**23-0168**

Claims Register for the period ending April 28, 2023

**REFERRED AS RECOMMENDED**

Referred to Public Works Committee

**Commissioner Debbie Goettel moved to refer to committee, seconded by Commissioner Angela Conley and approved - 7 Years**

**23-0159**

Amd 1 to Agmt PR00002088 with Sustainable Resources Ctr, for lead education and grant recruitment services, 04/07/20–12/31/23, incr NTE by \$30,000

**REFERRED TO COMMITTEE**

**23-0160**

Authorization to acquire right of way by direct purchase or condemnation and declare as surplus and dispose of excess right of way on various transportation projects

**REFERRED TO COMMITTEE**

**23-0161**

Authorization to convey permanent easement and fee title to the State of Minnesota and declare as surplus for sale the remnant part of property acquired as part of CSAH 3 /I-35 access project in Minneapolis, CP 2986402

**REFERRED TO COMMITTEE**

**23-0162**

Authorization to submit a written request to the County Auditor to withhold a tax-forfeited parcel located along CSAH 24 (PID 24-118-23-42-0001) in Medina from public sale and authorization to acquire fee title of the parcel for transportation related purposes

**REFERRED TO COMMITTEE**

**23-0163**

Agmt PR00005142 with Stantec Consulting Services Inc. for preliminary design engineering and professional services for the reconstruction of CSAH 52 in Richfield (CP 2120800); (county cost: NTE \$1,250,000 state aid)

**REFERRED TO COMMITTEE**

Referred to Law, Safety and Justice Committee

**Commissioner Debbie Goettel moved to refer to committee, seconded by Commissioner Angela Conley and approved - 7 Yeas**

**23-0157**

Agmt A2311729 with the MN Dept of Natural Resources to provide grant funding for boat and water safety activities for the Hennepin County Sheriff's Office, 01/01/23-06/30/24, \$102,943 (recv)

**REFERRED TO COMMITTEE**

**23-0158**

Agmt A2311709 with the Executive Office of the President, Office of National Drug Control Policy to provide grant funding for the Hennepin County Sheriff's Office through the High Intensity Drug Trafficking Areas grant, 01/01/23-12/31/24, \$269,971 (recv)

**REFERRED TO COMMITTEE**

Referred to Administration, Operations and Budget

**Commissioner Debbie Goettel moved to refer to committee, seconded by Commissioner Angela Conley and approved - 7 Yeas**

**23-0151**

Amd 1 to Agmt PR00003424 with Willis Towers Watson to provide additional broker services for stop-loss medical insurance, life insurance, short-term disability insurance, and long-term disability insurance; no change to end date of 08/31/24, increasing NTE by \$159,700

**REFERRED TO COMMITTEE**

**23-0152**

Amd 1 to Master Agmts PR00003129 with BrookLynk, PR00003130 with Ka Joog, and PR00003131 with Tree Trust for the provision of services under the Federal Workforce Innovation and Opportunity Act, Youth, and Minnesota Youth programs, incr NTE and ext the term and Amd 2 to Joint Powers Agmt A188954 between Hennepin and Carver Counties for employment and training services ext the term

**REFERRED TO COMMITTEE**

**23-0153**

Award funding for Hennepin County Youth Activities Grants (formerly known as Hennepin County Youth Sports Program) 2022 Art and Music Projects; delegation of authority to Purchasing Manager to sign agreements and update criteria

**REFERRED TO COMMITTEE**

**Commissioner Debbie Goettel moved to refer to committee, seconded by Commissioner Angela Conley and approved - 7 Years**

**23-0154**

Human Services & Public Health resolution, including contracts and amendments to contracts with provider – 2305

**REFFERRED TO COMMITTEE**

**23-0155**

Amd 1 to Agmt A2110957 with the MN Dept of Health to provide implementation of Sage and Cancer Screening Quality Improvement to increase breast, cervical, and colorectal cancer screening rates, incr amt by \$18,000 (recv)

**REFFERRED TO COMMITTEE**

**23-0156**

Transfer of \$250,000 from the contingency fund to Public Health for reproductive and gender affirming healthcare

**REFFERRED TO COMMITTEE**

**6. Commendations**

**7. Commissioner Communications/Updates**

**Commissioner Kevin Anderson spoke of National County Government Month and the theme for April 2023 of “Counties RISE”**

**Commissioner Jeff Lunde highlighted April 9-15 as National Public Safety Telecommunicators Week**

**8. Claims Register**

**Commissioner Marion Greene moved to approve/ratify the Claims registers for periods ending March 24, March 31 and April 7, 2023, seconded by Commissioner Debbie Goettel and approved - 7 Years**

**8.A. 23-0145**

Claims Register for the period ending March 24, 2023

**BE IT RESOLVED, that the claims register for the period ending March 24, 2023, be ratified.  
APPROVED/RATIFIED**

**8.B. 23-0146**

Claims Register for the period ending March 31, 2023

**BE IT RESOLVED, that the claims register for the period ending March 31, 2023, be ratified.  
APPROVED/RATIFIED**

**8.C. 23-0147**

Claims Register for the period ending April 7, 2023

**BE IT RESOLVED, that the claims register for the period ending April 7, 2023, be ratified.  
APPROVED/RATIFIED**

**9. Consent**

**Commissioner Jeff Lunde moved to adopt the Consent Agenda, seconded by Commissioner Chris LaTondresse and approved - 7 Years**

**9.A. 23-0132**

BE IT RESOLVED, that the contracts, contract amendments and administrative actions of the Human Services

& Public Health Department and Department of Community Corrections and Rehabilitation made pursuant to chapters 256E and 393 of Minnesota Statutes, as detailed in Human Services & Public Health Contract Report 2304 be approved; that the report be filed in Contract Management Services; that the Chair of the Board be authorized to sign the contracts, contract amendments, and administrative actions on behalf of the County; and that the Controller be authorized to disburse funds as directed. Such contracts are subject to ministerial adjustment, when such adjustments are done within the constraints of the approved Hennepin County Budget and when signed by the County Department Director or Designee.

**ADOPTED**

9.B. **23-0133**

Agmt A2311669 with the MN Dept of Human Services for the provision of mobile mental health crisis services, 07/01/22-03/31/24, \$3,250,738 (recv)

BE IT RESOLVED, that Agreement A2311669 with the Minnesota Department of Human Services (DHS) for the provision of mobile mental health crisis services during the period of July 1, 2022 through March 31, 2024, in the receivable amount of \$3,250,738 be approved; that the Chair of the Board be authorized to sign the agreement on behalf of Hennepin County; and that the Controller be authorized to accept and disburse funds as directed; and

BE IT FURTHER RESOLVED, that a supplemental appropriation be made to increase the Public Health 2023 adopted budget by \$1,568,458; and

BE IT FURTHER RESOLVED, that the 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 for this program when grant funds are no longer available.

**ADOPTED**

9.C. **23-0134**

Amd 1 to Agmt A2211139 with the MN Dept of Public Safety, Office of Justice Programs to accept grant funding for personnel costs related to the activities of the Hennepin County Violent Offender Task Force, no change to contract dates, incr recv amt by \$115,507.71; supp app of \$115,507.71 to the 2023 Hennepin County Sheriff's Office Budget

BE IT RESOLVED, that Amendment 1 to Agreement A2211139 with the Minnesota Department of Public Safety, Office of Justice Programs to provide grant funding for equipment, insurance, and personnel costs related to activities of the Hennepin County Violent Offender Task Force for the period January 1, 2022 through December 31, 2023, increasing the receivable by \$115,507.71 for a new total receivable amount of \$1,005,507.71 be approved; that the Chair of the Board be authorized to sign the Amendment on behalf of the county; and that the Controller be authorized to accept and disburse funds as directed; and

BE IT FURTHER RESOLVED, that a supplemental appropriation of \$115,507.71 be made to the 2023 Hennepin County Sheriff's Office budget be approved; 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 for this program when grant funds are no longer available.

**ADOPTED**

9.D. **23-0135**

Agmt PR00005122 with Sustainable Resources Center Inc. to provide for lead education and grant recruitment services, 04/01/23–11/01/26, NTE \$450,000

BE IT RESOLVED, that Agreement PR00005122 with Sustainable Resources Center Inc. to provide lead education and grant recruitment services during the period April 1, 2023 through November 1, 2026 with a not to exceed amount of \$450,000 be approved; that the Chair of the Board be authorized to sign the agreement on behalf of the county; and that the Controller be authorized to disburse funds as directed.

**ADOPTED**

9.E. **23-0136**

Amds 3 and 4 to Master Agmt PR00001064 with Carver County for the provision of services under the Federal Workforce Innovation and Opportunity Act Adult, Youth, Dislocated Worker, State Dislocated Worker, and Minnesota Youth programs, incr NTE amount and ext term

BE IT RESOLVED, that Amendments 3 and 4 to Master Agmt PR00001064 with Carver County for the provision of services for Federal Workforce Innovation and Opportunity Act – Adult, Youth, Dislocated Worker along with the State Dislocated Worker and Minnesota Youth programs to eligible participants, be approved; Amendment 3 extended the end date to June 30, 2023 and Amendment 4 extends the end date to June 30, 2024 and increases the not to exceed amount by \$335,000 for a new total not to exceed amount of \$2,900,000; and

BE IT FURTHER RESOLVED, that the Chair of the Board be authorized to sign the amendments on behalf of the County; that the Controller be authorized to disburse the funds as directed; and

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

**ADOPTED**

**9.F. 23-0137**

Authorize host approval for the issuance and sale of multifamily housing revenue bonds by the City of Richfield Housing and Redevelopment Authority for an affordable housing project at 58 Taylor Avenue, Unorganized Territory of Fort Snelling

PROVIDING HOST APPROVAL TO AND CONSENTING TO THE ISSUANCE OF REVENUE OBLIGATIONS BY THE HOUSING AND REDEVELOPMENT AUTHORITY IN AND FOR THE CITY OF RICHFIELD, MINNESOTA FOR THE BENEFIT OF FORT SNELLING LEASED HOUSING ASSOCIATES I, LLLP, OR AN AFFILIATE, SUCCESSOR, OR ASSIGN; APPROVING AND AUTHORIZING THE EXECUTION OF A COOPERATIVE AGREEMENT; AND TAKING OTHER ACTIONS WITH RESPECT THERETO

WHEREAS, pursuant to the Constitution and laws of the State of Minnesota, particularly Minnesota Statutes, Chapter 462C, as amended, a municipality (including a city, a county housing and redevelopment authority, and a housing and redevelopment authority in and for a home rule charter city) is authorized to issue revenue bonds to finance multifamily housing developments; and

WHEREAS, Minnesota Statutes, Section 471.656, as amended, authorizes a municipality to issue obligations to finance the acquisition or improvement of property located outside of the corporate boundaries of such municipality if (i) the obligations are issued under a joint powers agreement between the municipality issuing the obligations and the municipality in which the property to be acquired or improved is located; or (ii) the governing body of the county in which the property is located consents, by resolution, to the issuance of the obligations; and

WHEREAS, pursuant to Minnesota Statutes, Section 471.59, as amended, by the terms of a joint powers agreement entered into through action of their governing bodies, two or more municipalities may jointly or cooperatively exercise any power common to the contracting parties or any similar powers, including those which are the same except for the territorial limits within which they may be exercised and the joint powers agreement may provide for the exercise of such powers by one or more of the participating governmental units on behalf of the other participating units; and

WHEREAS, on November 25, 2020, the Hennepin County Housing and Redevelopment Authority (the "County HRA") issued its Multifamily Housing Revenue Note (Fort Snelling Upper Post Project), Series 2020 (the "Series 2020 Note"), in the original aggregate principal amount of \$88,000,000 and loaned the proceeds thereof to Fort Snelling Leased Housing Associates I, LLLP, a Minnesota limited liability limited partnership (the "Borrower"), to finance all or a portion of the costs of the leasehold acquisition, rehabilitation and/or construction, and equipping of an approximately 191-unit multifamily housing rental facility and facilities functionally related and subordinate thereto located at 58 Taylor Avenue, Unorganized Territory of Fort Snelling, Minnesota 55111, known as the Fort Snelling Upper Post Project (the "2020 Project"), of which at least forty percent (40%) of the units are available to individuals and families with incomes at or below (60%) of the area median income; and

WHEREAS, the Borrower has proposed that the Housing and Redevelopment Authority in and for the City of Richfield, Minnesota (the "Issuer") issue one or more series of taxable or tax-exempt revenue obligations (the "Bonds") in the approximate aggregate principal amount of \$10,000,000 to complete the construction and/or rehabilitation of the 2020 Project (the "2023 Project"), and that Hennepin County, Minnesota (the "County") consent to the issuance of the Bonds by the Issuer; and

WHEREAS, the Issuer has received \$10,000,000 in tax-exempt bond volume cap from the State of Minnesota for the 2023 Project, and the Borrower intends to apply the proceeds of the Bonds to finance all or a portion of

(i) the costs of the 2023 Project; (ii) any required reserves; (iii) capitalized interest during the construction and/or rehabilitation of the 2020 Project and the 2023 Project (together, the "Project"), if necessary; and (iv) the costs of issuing the Bonds; and

WHEREAS, Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), and regulations promulgated thereunder require that, prior to the issuance of the Bonds, the Board of Commissioners of the County (the "County Board") must consent to the issuance of the Bonds by the Issuer after conducting a public hearing thereon preceded by publication of a notice of public hearing (in the form required by Section 147(f) of the Code and applicable regulations) in a newspaper of general circulation within the County at least seven (7) days prior to the public hearing date; and

WHEREAS, a notice of public hearing (the "Public Notice") was published at least seven (7) days before the regularly scheduled meeting of the Administration, Operations, and Budget Committee of the County on the date hereof in *Finance & Commerce*, the official newspaper of the County, and in the *Star Tribune*, a newspaper of general circulation in the County, with respect to the required public hearing under Section 147(f) of the Code; and

WHEREAS, on February 28, 2023, the Administration, Operations, and Budget Committee of the County conducted a public hearing at which a reasonable opportunity was provided for interested individuals to express their views, both orally and in writing, on providing consent to the issuance of the Bonds by the Issuer pursuant to the requirements of Section 147(f) of the Code and the regulations promulgated thereunder; and

WHEREAS, such public hearing was conducted in person and via telephone and other electronic means as allowed under Minnesota Statutes, Section 13D.021, as amended, and Revenue Procedure 2022-20, issued by the Internal Revenue Service on March 18, 2022; and

WHEREAS, the Issuer and the County are proposing to enter into a Cooperative Agreement (the "Cooperative Agreement") pursuant to which the County will consent to the issuance of the Bonds by the Issuer to finance the Project, and the Issuer will agree to issue the Bonds to finance the Project; and

WHEREAS, the Borrower has represented to the County that the principal of, premium (if any), and interest on the Bonds:(i) shall be payable solely from the revenue pledged therefor; (ii) shall not constitute a debt of the County or the Issuer within the meaning of any constitutional or statutory limitation; (iii) shall not constitute nor give rise to a pecuniary liability of the County or the Issuer or a charge against its general credit or taxing powers; and (iv) shall not constitute a charge, lien, or encumbrance, legal or equitable, upon any property of the County or the Issuer other than the interest of the Issuer as set forth in one or more loan agreements to be entered into between the Issuer and the Borrower; and

BE IT RESOLVED, by the Board of Commissioners of Hennepin County, Minnesota the following:

1. County Board Approval. The County Board finds that it is in the best interest of the County to approve the issuance of the Bonds by the Issuer to finance the Project and hereby consents to the issuance of the Bonds by the Issuer for the purposes set forth above.

2. Special, Limited Obligations of the Issuer. The Bonds shall be special, limited obligations of the Issuer payable solely from the revenues and security provided by the Borrower to the Issuer and pledged to the payment of the Bonds. The Bonds, when and if issued, shall not constitute a charge, lien, or encumbrance, legal or equitable, upon any property of the County, the County HRA, or the Issuer. The Bonds, when and if issued, shall recite in substance that the Bonds and the interest thereon, are payable solely from the revenues pledged and security provided therefor and shall not constitute a debt of the Issuer, the County, the County HRA, the State of Minnesota, or any political subdivision thereof.

3. Cooperative Agreement. The Chair and the County Administrator (together, the "County Officials") are

hereby authorized and directed to execute and deliver the Cooperative Agreement and any other documents deemed necessary to fulfill the intentions of this resolution. All of the provisions of the Cooperative Agreement, when executed and delivered as authorized herein, shall be deemed to be a part of this resolution as fully and to the same extent as if incorporated verbatim herein and shall be in full force and effect from the date of execution and delivery thereof. The Cooperative Agreement shall be substantially in the form on file with the County, which is hereby approved, with such omissions and insertions as do not materially change the substance thereof, or as the County Officials in their discretion, shall determine, and the execution thereof by the County Officials shall be conclusive evidence of such determination.

4. Additional Approvals. Given that both the 2020 Project and the 2023 Project consist of the same property, it may be necessary for the County Officials or the Deputy Executive Director for the County HRA and the Chief Housing and Economic Development Officer for the County (the "Chief Housing Officer") to approve and execute documents related to the 2020 Project and the 2023 Project to effectuate the intent of Resolution 20-HCHRA-0041, adopted by the Board of Commissioners of the County HRA (the "County HRA Board") on October 20, 2020; Resolution 20-0406, adopted by the County Board on November 3, 2020; and this resolution. The County Officials, and to the extent permitted by Resolution 20-HCHRA-00034, adopted by the County HRA Board on September 1, 2020, and by Resolution 20-0304, adopted by the

County Board on September 1, 2020, the Chief Housing Officer, are hereby authorized and directed to execute and deliver any consents or such other documents or certificates as are necessary or appropriate in connection with the Series 2020 Note, the Project, or the Bonds.

5. Documents Furnished to Bond Counsel. The County Officials and other officers, employees, and agents of the County are hereby authorized and directed to prepare and furnish to Kennedy & Graven, Chartered, as bond counsel to the Issuer, the trustee, and the original purchaser of the Bonds certified copies of all proceedings and records of the County relating to the approval of the issuance of the Bonds, including a certification of this resolution.

6. Costs. The Borrower shall pay to the County any and all costs paid or incurred by the County in connection with this resolution, the Cooperative Agreement, the Bonds or the financing contemplated herein, whether or not the financing is carried to completion, and whether or not the Bonds or operative instruments are executed and delivered.

7. Effective Date. This resolution shall be in full force and effect from and after its passage this 11<sup>th</sup> day of April 2023.

**ADOPTED**

9.G. **23-0139**

Neg Agmt PW 24-21-23 with Wayzata for county sponsorship as part of the LRIP for safety improvements at the East Lake Street and Barry Avenue BNSF railroad crossing in Wayzata (CP 2221100); establish project and budget of \$400,000 to be funded with state general obligation bonds

BE IT RESOLVED, that the County Administrator be authorized to negotiate Agreement PW 24-21-23 with the City of Wayzata for county sponsorship to accept Local Road Improvement Program (LRIP) funds on behalf of the city for roadway and railroad crossing safety improvements at the East Lake Street and Barry Avenue Burlington Northern Santa Fe (BNSF) Railway crossing in Wayzata, county project (CP) 2221100; that upon 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

BE IT FURTHER RESOLVED, that CP 2221100 be established as a project in the 2023 Capital Improvement Program with a budget of \$400,000 to be funded with State General Obligation Bonds through the MnDOT LRIP; and that the Controller be authorized to accept and disburse funds as directed.

**ADOPTED**

9.H. **23-0140**

Amd 4 to work authorization under Master Agmt PR00002261 with SRF Consulting Group, Inc. to add construction administration services for various roadway rehabilitation projects, CP 2210400 (county cost: NTE \$765,000 county bonds)

BE IT RESOLVED, that the County Administrator be authorized to execute Amendment 4 to the work authorization under Master Agreement PR00002261 with SRF Consulting Group, Inc. to add construction administration services for roadway rehabilitation projects at various locations within the county, county project (CP) 2210400; increasing the total not to exceed amount to \$765,000; that following review and approval by the County Attorney's office, the Chair of the Board be authorized to sign the amendment to the work authorization on behalf of the county; and that the Controller be authorized to disburse funds as directed.

**ADOPTED**

9.I. **23-0141**

Neg Agmt PR00005134 with HNTB Corporation for preliminary design engineering and professional services for the rehabilitation of the Hennepin Ave bridge and two approach bridges in Minneapolis (CP 2164000); (county cost: NTE \$1,775,000 state aid)

BE IT RESOLVED, that the County Administrator be authorized to negotiate Agreement PR00005134 with HNTB Corporation (HNTB) to provide preliminary design engineering and professional services for the rehabilitation of Bridge No. 27636 carrying County State Aid Highway (CSAH) 52 (Hennepin Avenue) and two approach bridges (No. 27537 and No. 27538) carrying Hennepin Avenue and CSAH 952 (First Avenue) over the Mississippi River in Minneapolis, county project (CP) 2164000, at an amount not to exceed (NTE) \$1,775,000; that upon 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 disburse funds as directed.

**ADOPTED**

9.J. **23-0142**



Various agmts and work authorization related to multimodal improvements along Hennepin Avenue and First Avenue from Main Street to Eighth Street; amend budget; (CP 2182100); (est county cost: \$5,500,000 Federal, \$4,910,000 State Aid; \$2,450,000 Bonds; est recv \$7,312,240)

BE IT RESOLVED, that the County Administrator be authorized to negotiate Agreement PW 02-20-23 with the City of Minneapolis for cost participation and maintenance responsibilities relating to the multimodal improvements along both County State Aid Highway (CSAH) 52 (Hennepin Avenue) and CSAH 952 (First Avenue) from CSAH 23 (Main Street) to Eighth Street, county project (CP) 2182100, at an estimated receivable of \$4,900,573 (\$4,211,838 capital, \$688,735 operating); that upon 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 the County Administrator be authorized to negotiate Agreement PW 41-23-22 with the Minneapolis Park and Recreation Board for participation in the design engineering and construction costs for a traffic signal system at the intersection of Hennepin Avenue/Main Street, construction costs of a multi-use trail along Main Street between Hennepin and First avenues, associated construction administration costs and maintenance responsibilities, and maintenance responsibilities of boulevard trees to be planted along the project corridor, CP 2182100, at an estimated receivable of \$739,250 (\$628,902 capital, \$110,348 operating); that upon 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 the County Administrator be authorized to negotiate Agreement PW 03-23-23 with the Minneapolis Park and Recreation Board for a temporary construction easement, during the period March 1, 2024 through October 31, 2025, for the multimodal improvement project on Hennepin and First avenues and Main Street, CP 2182100, at no county cost; that upon 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

BE IT FURTHER RESOLVED, that the County Administrator be authorized to negotiate Agreement PW 04-40-23 (State Contract No. 1052735) with the Minnesota Department of Transportation (MnDOT) for cost participation and maintenance responsibilities related to work on Trunk Highway (TH) 65 (Central Avenue) and TH 47 (University Avenue) as part of the multimodal improvement project on Hennepin and First avenues and Main Street, CP 2182100, at an estimated county receivable of \$1,529,005 (\$1,438,435 capital, \$90,570 operating); that upon 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 the County Administrator be authorized to negotiate Agreement PW 05-40-23 (State Contract No. 1052804) authorizing the Commissioner of Transportation to act as Hennepin County's agent in accepting federal funds on its behalf for the multimodal improvements on Hennepin and First avenues and Main Street, CP 2182100, (SP 027-652-042), in the amount of \$5,500,000; that upon 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 pursuant to Minnesota Statutes, §161.36, the Commissioner of Transportation be appointed as agent of Hennepin County to accept Federal Funds which may be available for CP 2182100; and

BE IT FURTHER RESOLVED, that the County Administrator be authorized to negotiate Agreement PW 06-67-23 with the Metropolitan Council (Met Council) for cost participation and maintenance of improvements on both Hennepin and First avenues at Second Street in Minneapolis, CP 2182100, at an estimated total receivable of \$386,438 (\$355,715 capital, \$30,723 operating); that upon 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 the County Administrator be authorized to negotiate Agreement PW 23-67-23 with the Met Council for cost participation and maintenance of red paint pavement striping to be installed on both Hennepin and First avenues between Main Street and Central Avenue in Minneapolis, CP 2182100, at an estimated total receivable of \$748,030 (\$677,350 capital, \$70,680 operating); that upon 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 the County Administrator be authorized to execute Amendment 1 to the work authorization under Master Agreement PR00002153 with Bolton & Menk, Inc. to continue to provide final design engineering services for bikeway, traffic signal, and pedestrian ramp upgrades along Hennepin and First avenues between Main and Eighth streets, and final design engineering services for a multi-use trail along Main Street between Hennepin and First avenues in Minneapolis, CP 2182100, increasing the work authorization amount by \$350,000 to a new total not to exceed of \$1,450,000; that following review and approval by the County Attorney's office, the Chair of the Board be authorized to sign the authorization on behalf of the county; and that the Controller be authorized to disburse funds as directed; and

BE IT FURTHER RESOLVED, that the appropriated project budget to date for CP 2182100 be increased by \$6,212,240 (from \$3,888,000 to \$10,100,240) comprised of: \$1,138,435 in State funds, (from \$300,000 to \$1,438,435), \$3,411,838 in Minneapolis revenue (from \$800,000 to \$4,211,838), \$628,902 from Minneapolis Park and Recreation Board and \$1,033,065 from the Met Council in cost participation; and that the Controller be authorized to accept and disburse funds as directed.

**ADOPTED**

9.K. **23-0148**

Agreeing to the Amended Minnesota Opioids State-Subdivision Memorandum of Agreement

WHEREAS, the State of Minnesota and numerous Minnesota cities and counties are engaged in nationwide civil litigation against opioid supply chain participants related to the opioid crisis; and

WHEREAS, in 2021, the State of Minnesota, Hennepin County, and numerous other Minnesota cities and counties previously agreed to the Minnesota Opioids State-Subdivision Memorandum of Agreement (“State-Subdivision Agreement”), which governed distribution of opioid settlement funds from multistate agreements with pharmaceutical distributors McKesson, Cardinal Health, and AmerisourceBergen, as well as opioid manufacturer Johnson & Johnson; and

WHEREAS, the State-Subdivision Agreement prioritizes flexibility for how local governments may use opioid settlement funds for opioids abatement and remediation, and which provides for 75% of the settlement funds to be distributed directly to local governments and 25% of the settlement funds to be distributed directly to the State; and

WHEREAS, the State of Minnesota and numerous Minnesota cities and counties have begun to receive distributions of settlement funds from the prior multistate settlement agreements, pursuant to the State-Subdivision Agreement; and

WHEREAS, the Minnesota Attorney General has signed on to several additional multistate settlement agreements with manufacturers Teva Pharmaceuticals and Allergan plc, as well as pharmacy companies Walmart Inc., CVS Health Corp., and Walgreens Boots Alliance Inc., but those settlement agreements are still subject to sign-on by local governments and final agreement by the companies and approval by the courts; and

WHEREAS, there is a deadline of April 18, 2023, for a sufficient threshold of Minnesota cities and counties to sign on to the new, above-referenced multistate settlement agreements, and failure to timely sign on may diminish the amount of funds received by not only that city or county but by all Minnesota cities and counties from the settlement funds; and

WHEREAS, representatives of Minnesota’s local governments and of the State of Minnesota through the Office of the Attorney General have reached agreement that the distribution of funds pursuant to the new settlement agreements and any future settlement agreements should be governed by the State-Subdivision Agreement, as amended, in order to prioritize flexibility for local governments and maintain the favorable 75/25 split of funds between local governments and the State; now, therefore,

BE IT RESOLVED, Hennepin County supports and agrees to the Amended Minnesota Opioids State-Subdivision Agreement (“Amended State-Subdivision Agreement”), with amendments that include the multistate settlement agreements with manufacturers Teva Pharmaceuticals and Allergan plc, as well as pharmacies Walmart Inc., CVS Health Corp., and Walgreens Boots Alliance Inc. as well as any future multistate settlement agreements relating to the opioids litigation; and

BE IT FURTHER RESOLVED, Hennepin County supports and opts in to the multistate settlements with Teva Pharmaceuticals, Allergan plc, Walmart Inc., CVS Health Corp., and Walgreens Boots Alliance Inc.; and

BE IT FURTHER RESOLVED, the Hennepin County Board of Commissioners authorizes the County Administrator or their authorized designee to execute all necessary documents to ensure County participation in the Teva Pharmaceuticals, Allergan plc, Walmart Inc., CVS Health Corp., and Walgreens Boots Alliance Inc. settlements, including the participation Agreement and accompanying Release and the Amended State-Subdivision Agreement.

**ADOPTED**

9.L. **23-0149**

Agmt A2311649 with NorthPoint Inc. to accept reimbursement for staff costs to process rent assistance for people at risk of homelessness, 01/01/23–04/30/23, \$75,000 (recv)

BE IT RESOLVED, that Agreement A2311649 with NorthPoint Health and Wellness Center, Inc accepting funding for the reimbursement for staff costs through a grant received from the Pohlad Family Foundation for rent assistance for families at risk of eviction and for the staffing costs to process that assistance, in the receivable amount of up to \$75,000 for the period January 1, 2023 through April 30, 2023 be approved; and

BE IT FURTHER RESOLVED, that a supplemental appropriation to the 2023 Human Services and Public Health departmental operating budget in the amount of \$75,000, including support of 1.0 limited duration FTE Case Management Assistant position, be approved; and

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

**ADOPTED**

9.M. **23-0150**

Approve supplemental appropriations to 2023 Human Services and Public Health budget for grant agreements approved at the end of 2022

BE IT RESOLVED, that Human Services and Public Health receive a supplemental appropriation of \$704,650 and the addition of 3 FTEs to support refugee family wellbeing; and

BE IT FURTHER RESOLVED, that Human Services and Public Health receive a supplemental appropriation of \$51,541 to support vulnerable adults.

**ADOPTED**

**10. Non-Consent**

**11. Progressed**

11.A. **23-0138**

Termination of Local Emergency pursuant to Minnesota Statutes Chapter 12, regarding COVID-19 (coronavirus) pandemic

WHEREAS, on March 16, 2020, the Chair of the Hennepin County Board declared a Local Emergency, pursuant to Minnesota Statutes § 12.29, related to the COVID-19 pandemic; and

WHEREAS, on March 17, 2020, pursuant to Resolution No. 20-0118, the Hennepin County Board of Commissioners consented to continuation of the Local Emergency until the passage of a termination resolution by the Hennepin County Board; and

WHEREAS, a declaration of local emergency invokes Hennepin County's disaster plans, including response and recovery aspects, and authorizes aid and assistance under those plans, pursuant to Minnesota Statutes § 12.29; and

WHEREAS, a declaration of local emergency also invokes Hennepin County's powers to quickly provide emergency aid, pursuant to Minnesota Statutes § 12.37; and

WHEREAS, Hennepin County has experienced widespread vaccination among community members, and reduced risk of hospitalization and death among those who contract COVID-19; and

WHEREAS, although the COVID- 19 pandemic has not ended, it is no longer necessary for Hennepin County to exercise its emergency powers; and

WHEREAS, during the local emergency, the Hennepin County Board adopted resolutions related to COVID-19 funding and actions to protect staff and residents from COVID-19 exposure and illness; and

WHEREAS, although it is no longer necessary for Hennepin County to exercise its emergency powers, it may be necessary for Hennepin County to take additional actions to accept and administer COVID-19 funding and to protect staff and residents from COVID-19 exposure and illness, consistent with public health and workplace safety advice.

BE IT RESOLVED, that in line with the White House and President Biden's February 10, 2023 announcement regarding the national emergency order, and pursuant to Minnesota Statutes Chapter 12, the Local Emergency regarding COVID-19, which was first declared by the Hennepin County Board Chair on March 16, 2020, and continued by consent of the full Hennepin County Board on March 17, 2020 (Resolution No. 20-0118R1), is terminated effective May 11, 2023; and

BE IT FURTHER RESOLVED, the County Administrator is authorized to take actions necessary to continue protecting staff and residents from COVID-19 exposure and illness, consistent with public health and workplace safety advice, and including but not limited to implementing any legal and contractual requirements; and

BE IT FURTHER RESOLVED, effective 90 days after the adoption of this resolution, the authority delegated to the County Administrator in Resolution No. 20-0119R1 to allow employees with insufficient paid leave hour balances to accrue a negative vacation/sick leave/PTO balance in an amount not to exceed 240 hours will expire; the prior authority from Resolution No. 09-0380 will remain in effect, allowing employees with insufficient paid leave hour balances to accrue a negative vacation/sick leave/PTO balance in an amount not to exceed 160 hours; and employees with negative leave balances will be eligible for forgiveness as previously authorized in Resolution No. 22-0073; and

BE IT FURTHER RESOLVED, the County Administrator is delegated authority to maintain or discontinue the award of COVID-19 paid leave previously authorized by Resolution 20-0119R1, consistent with public health and workplace safety advice; and

BE IT FURTHER RESOLVED, the County Administrator is delegated authority to maintain or discontinue the award of COVID-19 childcare leave as previously authorized by Resolution 21-0040, consistent with public health and workplace safety advice; and

BE IT FURTHER RESOLVED, effective 90 days after the adoption of this resolution, any other Hennepin County ordinances, rules, and policies that were suspended by the Hennepin County Administrator or his designee pursuant to the delegation in the declaration of local emergency, are reinstated; and

BE IT FURTHER RESOLVED, the County Administrator is delegated authority to accept COVID-19 related funding in any amount, to report acceptance of such funds to the Hennepin County Board, and to establish supplemental appropriations equal to those COVID-19 funding amounts and transfer as needed between departments, as previously authorized in Resolutions 20-0122, 20-0173, and 22-0136R1; and

BE IT FURTHER RESOLVED, to the extent that the County Board has previously adopted any resolution authorizing COVID-19 related funding or delegated authority for such funding, the Board's prior funding resolutions remain in effect notwithstanding the end of the local emergency; and

BE IT FURTHER RESOLVED, to the extent that the County Board has previously adopted any resolution delegating authority to the County Administrator related to the COVID-19 pandemic, those prior resolutions and delegations remain in effect notwithstanding the end of the local emergency.

**ADOPTED**

**Commissioner Jeff Lunde moved to adopt the Resolution, seconded by Commissioner Kevin Anderson and approved - 7 Yeas**

**12. Old Business**

**13. Immediate Approvals**

**13.A. 23-0164**

Proclaiming April as Volunteer Recognition Month in Hennepin County – offered by Commissioner Fernando

WHEREAS, this year National Volunteer Week takes place from April 17 to April 22 and provides an opportunity to recognize the invaluable contributions of volunteers; and

WHEREAS, Hennepin County has welcomed volunteer engagement opportunities for over 50 years, and thousands of community members, employees, and partnering organizations have volunteered in our communities, utilizing their time and talents daily to make a real difference in the lives of residents; and

WHEREAS, in the last seven years 27,700 Hennepin County volunteers have given 657,155 hours of their time; and

WHEREAS, the Hennepin County's Volunteer Services team mission is to inspire county employees and volunteers to build a strong presence and reputation for social responsibility within the community, and works to bring employees and volunteers together to identify needs and engage with services that make a difference in our resilient and diverse community; and

WHEREAS, this proclamation is an important opportunity to acknowledge the efforts of volunteers and inspire others to get involved.

BE IT RESOLVED, that the Hennepin County Board of Commissioners recognizes the commitment and contributions of our volunteers who support the county's mission and vision and proclaim April as Volunteer Recognition Month in Hennepin County.

**ADOPTED**

**Commissioner Jeff Lunde moved to adopt the Resolution, seconded by Commissioner Debbie Goettel and approved - 7 Yeas**

**13.B. 23-0165**

Recognizing April 30, 2023 as Therapy Animal Day in Hennepin County – offered by Commissioner Greene

WHEREAS, National Therapy Animal Day is an annual event observed on April 30 that recognizes the thousands of therapy animal teams serving in communities across the United States; and

WHEREAS, therapy animals in Hennepin County play an essential role in improving human health and well-being through the human-animal bond; and

WHEREAS, therapy animal teams make millions of visits per year in settings such as hospitals, nursing homes, schools and hospices and interact with a variety of people in our community including veterans, seniors, patients, students facing literacy challenges, and those approaching the end of their lives; and

WHEREAS, exceptional therapy animals partner with their human companions to bring comfort and healing to those in need; and

WHEREAS, dog therapy teams volunteer at Hennepin Healthcare, providing respite and unconditional love and comfort for patients, families and medical staff, and

WHEREAS, pet therapy teams regularly visit Hennepin County Libraries where children and youth read to them without judgment, and

WHEREAS, the Hennepin County Attorney's Office employs their own emotional support dog who provides comfort to victims, witnesses, and employees; and

WHEREAS, Animal Therapy Day in Hennepin County encourages Hennepin County residents to celebrate our therapy animals and their human handlers.

BE IT RESOLVED, that the Hennepin County Board of Commissioners, do hereby proclaim Sunday, April 30, 2023, as Therapy Animal Day in Hennepin County.

**ADOPTED**

**Commissioner Marion Greene moved to adopt the Resolution, seconded by Commissioner Jeff Lunde and approved - 7 Yeas**

**14. Adjournment**

On a motion by Commissioner Kevin Anderson, seconded by Commissioner Jeff Lunde, the Board of Commissioners meeting for April 11, 2023 was adjourned at 2:15 p.m. until May 2, 2023.

Karen L Keller  
Deputy Clerk to the County Board

**Contracting opportunities can be found on the Hennepin County website: [www.hennepin.us](http://www.hennepin.us)**