

HENNEPIN COUNTY

MINNESOTA

FINAL COMMITTEE AGENDA

ADMINISTRATION, OPERATIONS AND BUDGET

COMMITTEE

TUESDAY, SEPTEMBER 26, 2023

1:30 PM

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

1. Public Hearing

- 1.A. Public comment on the program year 2022 Consolidated Annual Performance and Evaluation Report related to the HUD CDBG, HOME & ESG programs in suburban Hennepin County.

2. Minutes from Previous Meeting

- 2.A. September 12, 2023 Minutes - Administration, Operations and Budget

3. New Business

Routine Items

3.A. 23-0352

Neg Amd 2 to Agmt A06174 with Wayside Jersey Avenue Supportive Housing extending term to 10/31/33, amend and restate related documents, no change to NTE

3.B. 23-0353

Authorize the issuance and sale of one or more tax-exempt multifamily housing revenue bonds by the Hennepin County Housing and Redevelopment Authority for an affordable housing preservation project at 124 Fourth Street SE in Minneapolis

3.C. 23-0354

Authorization to terminate the amended and restated solar power purchase Agreement PR00002060 and associated easements with Innovative Power Systems, Inc. to purchase power from a ground mounted solar array proposed at the Adult Correctional Facility

Items for Discussion and Action

3.D. **23-0355**

Authorization to adopt Laws of Minnesota 2023, Chapter 64, Article 8, Section 3, as requested by the City of Bloomington, for the purpose of extending the maximum duration of the Bloomington Central Station (County No. 1375) by five years, to 12/31/2044

Addendum

3.E. **23-0374**

Authorize the County Administrator to negotiate and execute amendments to agreements with providers to support the Hennepin County Opioid Framework; Amd 18 Agmts addressing opioid treatment and prevention, incr NTE by \$2,351,841 and ext end date to 12/31/23

HENNEPIN COUNTY

MINNESOTA

300 South Sixth Street
Minneapolis, MN
55487-0240

Board Action Request

TMP-0445

Item Description:

Public comment on the program year 2022 Consolidated Annual Performance and Evaluation Report related to the HUD CDBG, HOME & ESG programs in suburban Hennepin County.

**HENNEPIN COUNTY
PUBLIC COMMENT SOLICITED and
NOTICE OF PUBLIC HEARING**

The Hennepin County Board of Commissioners is soliciting public comment on the Hennepin County Consortium Draft 2022 Consolidated Annual Performance and Evaluation Report (CAPER), which will be submitted to the U.S. Department of Housing and Urban Development (HUD) in September 2023. The Hennepin County Consortium includes all cities in suburban Hennepin County.

Purpose: The CAPER reports on the Consortium's Community Development Block Grant (CDBG), HOME Investment Partnerships (HOME), and Emergency Solutions Grant (ESG) program activities during the period July 1, 2022 through June 30, 2023. CDBG, HOME, and ESG funds are used for housing, community development, and public service activities that principally benefit low- and moderate-income persons.

Written Comment: Written comments will be accepted beginning September 11, 2023 and ending September 26, 2023. Written comments **must** be submitted by 4:30 p.m., September 26, 2023 and addressed to Julia Welle Ayres, Manager, Housing Development and Finance, Hennepin County Housing and Economic Development Department, 701 Fourth Avenue South, Suite 400, Minneapolis, MN 55415 or at Julia.WelleAyres@hennepin.us. Written comments will be included in the final report.

The draft 2022 CAPER will be available September 11, 2023 on the county's website at www.hennepin.us/CAPER. If you would like a copy of either draft plan or have questions, please contact the Hennepin County Housing and Economic Development Department at 612-543-4342.

In compliance with the Americans with Disabilities Act (ADA), this material is also available in alternative forms by calling 612-348-8955 (voice). Translated materials will also be made available upon request.

Public Hearing: A Public Hearing on the 2022 CAPER will be held on Tuesday, September 26, 2023 at 1:30 p.m., or as soon thereafter as practicable, at the Administration, Libraries and Budget Committee meeting of the Hennepin County Board of Commissioners. Interested persons may attend the public hearing by telephone conference by using the following instructions and all such persons shall be given an opportunity to express their views with respect to the Hennepin County Consolidated Annual Performance and Evaluation Report. To attend the public hearing via telephone, call the toll-free dial-in telephone conference number (855) 946-3351

For further information, please contact Julia Welle Ayres, Manager of Housing Development and Finance, Julia.welleayres@hennepin.us.

HENNEPIN COUNTY

MINNESOTA

300 South Sixth Street
Minneapolis, MN
55487-0240

Board Action Request

TMP-0443

Item Description:

September 12, 2023 Minutes - Administration, Operations and Budget

HENNEPIN COUNTY

MINNESOTA

COMMITTEE MINUTES

ADMINISTRATION, OPERATIONS AND BUDGET COMMITTEE

TUESDAY, SEPTEMBER 12, 2023
1:30 PM

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

Commissioner Goettel, Chair, called the meeting of the Administration, Operations and Budget Committee for Tuesday, September 12, 2023 to order at 1:48 p.m.

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

1. Presentation

1.A. Proposed 2024 Operating and Capital Budgets - David J. Hough, County Administrator

2. Minutes from Previous Meeting

2.A. August 15, 2023 Minutes - Administration, Operations and Budget

APPROVE

Commissioner Irene Fernando moved, seconded by Commissioner Chris LaTondresse, to approve the Minutes.

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

3. New Business

Routine Items

3.A. **23-0335**

Amd 1 to for Agmt PR00002275 with Parallel Technologies, Inc. for continued implementation of a countywide access control and video management system, software licenses, hardware, and maintenance, no change to dates, incr NTE by \$3,500,000

CONSENT

Commissioner Marion Greene moved, seconded by Commissioner Angela Conley, to approve the Resolution.

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

3.B. 23-0336

Authorization to advertise, receive proposals, proceed with a single construction contract and transfer \$1,100,000 in unused funds from JDC Safety Upgrades (CP 1007207) to JDC Ceiling Tile and Lighting Upgrades (CP 1009341)

CONSENT

Commissioner Marion Greene moved, seconded by Commissioner Angela Conley, to approve the Resolution.

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

3.C. 23-0337

Amend 1 to Agmt PL00000269 with Metre LLC for media planning, media procurement, and limited creative services to advance County's strategic priorities, no change to dates, incr NTE by \$500,000

CONSENT

Commissioner Marion Greene moved, seconded by Commissioner Angela Conley, to approve the Resolution.

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

Addendum

3.D. 23-0338

Adopt revisions to the Hennepin County purchasing rules, including authority to select Construction Manager at Risk

CONSENT

Commissioner Debbie Goettel moved, seconded by Commissioner Jeff Lunde, to approve the Resolution.

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

3.E. 23-0347

Establish schedule of the Administration, Operations and Budget Committee to consider the proposed 2024 budget; establish fee schedule for 2024 and establish date and time for required public hearings and meetings for the adoption of the final 2024 budget and levy and consider proposed changes to the dedicated uses of the Transportation Sales and Use Tax

CONSENT

Commissioner Irene Fernando moved, seconded by Commissioner Chris LaTondresse, to approve the Resolution.

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

3.F. **23-0348**

Set maximum 2024 property tax levy and proposed 2024 budget

CONSENT

Commissioner Debbie Goettel moved, seconded by Commissioner Irene Fernando, to approve the Resolution.

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

3.G. **23-0349**

2024 Proposed Operating and Capital Budgets

LAID OVER

Commissioner Debbie Goettel moved, seconded by Commissioner Marion Greene, to lay over the Resolution until October 2, 2023.

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

There being no further business, the Administration, Operations and Budget Committee for September 12, 2023 was declared adjourned at 2:36 p.m.

Karen L Keller
Deputy Clerk to the County Board

HENNEPIN COUNTY

MINNESOTA

300 South Sixth Street
Minneapolis, MN
55487-0240

Board Action Request

23-0352

Item Description:

Neg Amd 2 to Agmt A06174 with Wayside Jersey Avenue Supportive Housing extending term to 10/31/33, amend and restate related documents, no change to NTE

Resolution:

BE IT RESOLVED, that the County Administrator be authorized to negotiate Amendment 2 to Agreement A06174 with Wayside Jersey Avenue Supportive Housing, LLC, or affiliated entity, for Wayside Supportive Housing located at 1341 and 1349 Jersey Avenue, St. Louis Park, extending the contract period to October 31, 2033, with no change in the not to exceed amount of \$600,000, and amending and restating related documents as necessary; that following review and approval by the County Attorney's Office, the Chair be authorized to sign the amendment and related documents on behalf of the county; and that the controller be authorized to disburse funds as directed.

Background:

Wayside Supportive Housing is a 20-unit affordable rental project located at 1341 and 1349 Jersey Avenue South in St. Louis Park. Wayside Supportive Housing includes 20 two-bedroom units, 17 of which have project-based Section 8 Vouchers from the Housing Authority of St. Louis Park, allowing tenant households to pay no more than 30 percent of their income towards rent.

The county awarded the project HOME funds in 1993 for acquisition and rehabilitation. The HOME funds were structured as a 30-year deferred loan, which comes due and payable in October 2023. Separately, the project has also received two Affordable Housing Incentive Fund (AHIF) awards from the Hennepin County Housing and Redevelopment Authority (HCHRA): a \$120,000 deferred loan expiring 2033, and a \$85,000 grant with a declaration expiring in 2038.

Wayside has experienced significant operating losses due to changes in service and operating funding and other market pressures. While these challenges threaten the sustainability of the project, the October 2023 HOME loan repayment date has prevented productive long-term planning.

To facilitate further planning, Wayside has requested a 10-year extension of the HOME loan term to match the AHIF loan term. Wayside would use the additional time to determine the best path forward to maintain the affordability.

Current Request: This request is for authorization to negotiate Amendment 2 to Agreement A06174 with Wayside Jersey Avenue Supportive Housing to extend the loan and compliance period to October 31, 2033, with no change to the loan amount of \$600,000.

Impact/Outcomes: Approval of this request will facilitate strategies for preservation of 20 affordable housing rental units.

Housing Disparity: This board action request aligns with Hennepin County's disparity reduction efforts by preserving affordable housing opportunities for households with extremely low incomes.

23-0352

Recommendation from County Administrator: Recommend Approval

HENNEPIN COUNTY

MINNESOTA

300 South Sixth Street
Minneapolis, MN
55487-0240

Board Action Request

23-0353

Item Description:

Authorize the issuance and sale of one or more tax-exempt multifamily housing revenue bonds by the Hennepin County Housing and Redevelopment Authority for an affordable housing preservation project at 124 Fourth Street SE in Minneapolis

Resolution:

**APPROVING THE ISSUANCE OF MULTIFAMILY HOUSING REVENUE BONDS BY THE
HENNEPIN COUNTY HOUSING AND REDEVELOPMENT AUTHORITY UNDER MINNESOTA
STATUTES, CHAPTER 462C, AS AMENDED, TO FINANCE A MULTIFAMILY HOUSING
DEVELOPMENT TO BE LOCATED WITHIN HENNEPIN COUNTY**

WHEREAS, under the provisions of Minnesota Statutes, Chapter 462C, as amended (the "Act"), cities are authorized to finance multifamily housing developments through the issuance and sale of revenue obligations payable exclusively from the revenues of the multifamily housing development; and

WHEREAS, among the purposes authorized by the Act, proceeds derived from the sale of revenue obligations issued under the terms of the Act may be applied to make a loan to finance the acquisition and preparation of a site and the construction of a new, or the acquisition and rehabilitation of an existing, multifamily housing development, and in the making of loans to finance multifamily housing developments and the issuance of revenue obligations, the city may exercise any of the powers the Minnesota Housing Finance Agency may exercise under Minnesota Statutes, Chapter 462A, as amended, without limitation under the provisions of Minnesota Statutes, Chapter 475, as amended; and

WHEREAS, for purposes of the Act, the term "city" is defined to include a county housing and redevelopment authority created by special law or authorized by its county to exercise its powers pursuant to Minnesota Statutes, Section 469.004; and

WHEREAS, the Hennepin County Housing and Redevelopment Authority (the "Issuer" or "HRA") is a housing and redevelopment authority and a public body corporate and politic duly organized and existing under the Constitution and laws of the State of Minnesota, created in Hennepin County (the "County") pursuant to Minnesota Statutes, Section 383B.77 to exercise all the powers and duties of a housing and redevelopment authority under Minnesota Statutes, Sections 469.001 to 469.047; and

WHEREAS, at the request of Labor Retreat Housing Partners, LP, a Minnesota limited partnership (together with its affiliates or assigns, the "Borrower"), the Issuer is proposing to issue one or more series of multifamily housing revenue bonds or other obligations (the "Bonds"), in an aggregate principal amount not to exceed \$10,000,000, and loan the proceeds derived therefrom to the Borrower (the "Loan") to finance a portion of the cost of acquisition, rehabilitation, construction, and equipping of an approximately 77-unit multifamily rental housing development and facilities functionally related and subordinate thereto located at or about 124 4th Street SE in the City of Minneapolis, Minnesota (collectively, the "Project"); and

WHEREAS, the Borrower has requested that the Issuer issue, sell, and deliver the Bonds, designated as Multifamily Housing Revenue Bonds (Labor Retreat Project), Series 2023, in the aggregate principal amount

not to exceed \$10,000,000; and

WHEREAS, the Bonds are proposed to be issued as "exempt facility bonds," the interest on which is not includable in gross income for federal income tax purposes under Sections 103 and 141(e)(1)(A) of the Internal Revenue Code of 1986, as amended (the "Code"); and

WHEREAS, under Section 146 of the Code, the Issuer must receive an allocation of the bonding authority of the State of Minnesota in order to issue multifamily housing revenue obligations, the interest on which is excludable from gross income for federal income tax purposes under Sections 141(e)(1)(A), 142(a)(7), and 142(d) of the Code, and an application for such an allocation must be made pursuant to the requirements of Minnesota Statutes, Chapter 474A (the "Allocation Act"); and

WHEREAS, in accordance with the authority granted under a resolution adopted by the Board of Commissioners of the Issuer (the "HRA Board") on May 9, 2023, the Issuer and Kennedy & Graven, Chartered ("Bond Counsel"), in cooperation with the Borrower, submitted an application to the State of Minnesota Department of Management & Budget ("MMB") for an allocation of bonding authority pursuant to Section 146 of the Code and the requirements of the Allocation Act; and

WHEREAS, the Issuer received an allocation of the bonding authority of the State of Minnesota to issue tax-exempt multifamily housing revenue obligations for the Project, in the aggregate amount of \$9,600,000, pursuant to Certificate of Allocation Number 456, dated July 3, 2023; and

WHEREAS, on August 1, 2023, the HRA Board held a public hearing, preceded by publication of a notice of public hearing on July 15, 2023 in Finance and Commerce, the official newspaper of the Issuer, and in the Star Tribune, a newspaper of general circulation in the jurisdiction of the Issuer, a date at least fifteen (15) days prior to the public hearing; and

WHEREAS, the notice stated the time and place of the public hearing, that it would be held in person and via telephone and other electronic means and accessible to the residents of the County by calling a toll-free telephone number, a general description of the Project, the address of the Project, the initial operator of the Project, and the maximum stated principal amount of tax-exempt obligations to be issued to finance the Project; and

WHEREAS, in accordance with the Act, a Program for a Multifamily Housing Development (the "Housing Program") was prepared on behalf of the Issuer with respect to the Project and submitted to Metropolitan Council on or before the day on which notice of the public hearing was published in a newspaper circulating generally in the County; and

WHEREAS, the public hearing was conducted in person and via telephone and other electronic means as allowed under Revenue Procedure 2022-20, issued by the Internal Revenue Service on March 18, 2022; and

WHEREAS, under the provisions of Section 147(f) of the Code and applicable Treasury Regulations, the Bonds will not constitute exempt facility bonds unless the Bonds are approved by the governmental unit which issues the Bonds or on behalf of which the Bonds are issued after a public hearing following reasonable public notice; and

WHEREAS, under the terms of Section 147(f) of the Code, private activity bonds (such as the Bonds) will not be qualified bonds, the interest on which is excludable from gross income for federal income tax purposes, unless the issuance of the bonds has been approved by the applicable elected representative of the governmental unit which issued the bonds or on behalf of which the bonds were issued; and

WHEREAS, the applicable elected representative of a governmental unit means its elected legislative body or

its chief elected executive office; if a governmental unit has no applicable elected representative then the applicable elected representative of such governmental unit is deemed to be the applicable elected representative of the next higher governmental unit from which the governmental unit derives its authority by: (i) the enactment of a specific law by or under which the governmental unit is created; (ii) otherwise empowering or approving the creation of the governmental unit; or (iii) appointing members to the governing body of the governmental unit; and

WHEREAS, the HRA has no applicable elected representative; the County is the next higher governmental unit from which the HRA derives its authority, and the Board of Commissioners of the County (the "County Board") is an applicable elected representative of the County.

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

1. County Board Approval of Issuance of the Bonds. As an applicable elected representative of the County and, therefore, the applicable elected representative of the HRA, the County Board hereby approves the issuance of the Bonds by the HRA in an aggregate principal amount not to exceed \$9,600,000, or in such greater amount as may hereafter be additionally allocated by MMB to the HRA for this Project, provided the aggregate principal amount of the Bonds shall not exceed \$10,000,000.
2. Special, Limited Obligation of the Issuer. The Bonds when, as, and if issued, shall be special, limited obligations of the Issuer, payable solely from the revenues received from the loan agreement between the Issuer and the Borrower, and other property pledged to the payment thereof, and shall not constitute a general or moral obligation of the County or the Issuer. The owners of the Bonds shall never have the right to compel any exercise of the taxing power of the County or the Issuer to pay the outstanding principal of the Bonds, or the interest thereon or to enforce payment thereof against any property of the County or the Issuer. The Bonds shall recite that the Bonds are issued pursuant to the Act, and that the Bonds, including interest and premium, if any, thereon, are payable solely from the revenues and assets pledged to the payment thereof, and the Bonds shall not constitute a debt of the Issuer or the County within the meaning of any constitutional or statutory limitation.
3. Housing Program. The Housing Program was submitted to the Metropolitan Council for its review and comment. All comments received from the Metropolitan Council were presented to this County Board.
4. Documents Furnished to Bond Counsel. The Chair, County Administrator, and other officers of the County are authorized and directed to furnish to Bond Counsel, certified copies of all proceedings and records of the County relating to the HRA, the Project, the Bonds, and the Housing Program, and such other affidavits, certificates, and other documents as may be required by Bond Counsel to show the facts relating to the validity of the Bonds and related documents, as such facts appear from the books and records in the custody and control of such officers or as otherwise known to them; and all such certified copies, certificates, affidavits, and other documents, including any heretofore furnished, shall constitute representations of the County as to the truth of all statements contained therein.
5. Costs. The County Board has adopted this resolution ("Resolution") in reliance upon the assurances from the Borrower that the Borrower will, upon demand, reimburse the County and the Issuer for costs paid or incurred by the County or the Issuer in connection with this Resolution, the Bonds, the Project, and the Housing Program.
6. Effective Date. This Resolution shall be in full force and effect from and after its passage this 3rd day of October 2023.

Background:

The Hennepin County Housing and Redevelopment Authority (HCHRA) is authorized to issue conduit

financing, including housing revenue bonds, pursuant to the provision of Minnesota Statutes, Chapters 462C and 469. The bonds are repayable solely from revenue and assets pledged in their support by the Developer and are not a debt or property tax obligation of Hennepin County or the HCHRA.

Section 147(f) of the Internal Revenue Code requires that the issuance of revenue bonds be approved by the applicable elected representative of the HCHRA, which is the Hennepin County Board of Commissioners.

Vitus Development IV, LLC, on behalf of Labor Retreat Housing, L.P., submitted an application for housing revenue bond financing to assist in an affordable housing preservation project at 124 Fourth Street SE (Project) in Minneapolis.

This preservation project contains 77 units set aside for seniors (62 units) and people with disabilities (15 units.) The renovation will include roof and window replacement and electrical system upgrades, plus accessibility improvements and updated finishes in units and in common areas. The project will continue to provide affordable housing to households at or below 60 percent of the area median income (AMI) as determined by the U.S. Department of Housing and Urban Development (HUD). Affordability will be further enhanced by Project-Based Section 8, which allows households to pay no more than 30 percent of their income toward rent. The project will remain affordable for a minimum 40-year period.

The project total development cost is expected to be approximately \$19 million. The bonds will be special limited obligations of the HCHRA, payable solely from the revenues specifically pledged by the developer. In addition to the housing revenue bonds, proposed sources of funding include 4% Low-Income Housing Tax Credits, a first mortgage, and developer-committed resources, including deferred developer fee.

The HCHRA Board of Commissioners authorized preliminary approval for the issuance of bonds on May 9, 2023 (Resolution 23-HCHRA-0018) and held a public hearing on the project on August 1, 2023; and authorized final approval for the issuance of bonds on September 19, 2023 (pending this writing).

Current Request: Approve issuance of multifamily housing revenue bonds by the HCHRA to finance a preservation project at 124 Fourth Street SE in Minneapolis.

Impact/Outcomes: Issuance of multifamily housing revenue bonds will facilitate the preservation of 77 rental housing opportunities, all of which will be affordable to, and reserved for, households at or below 60 percent of AMI, and all of which will have affordability further enhanced by commitments of Project-Based Section 8.

Housing Disparity: This board action request aligns with Hennepin County's disparity reduction efforts by creating affordable housing opportunities for households with extremely low incomes.

Recommendation from County Administrator: Recommend Approval

HENNEPIN COUNTY

MINNESOTA

300 South Sixth Street
Minneapolis, MN
55487-0240

Board Action Request

23-0354

Item Description:

Authorization to terminate the amended and restated solar power purchase Agreement PR00002060 and associated easements with Innovative Power Systems, Inc. to purchase power from a ground mounted solar array proposed at the Adult Correctional Facility

Resolution:

BE IT RESOLVED, that the County Administrator be authorized to negotiate Agreement A2311953 terminating Agreement PR00002060 with Innovative Power Systems, Inc. for the solar power purchase and construction of a solar facility at the Adult Correctional Facility, along with any associated easements; and 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.

Background:

In 2018, Hennepin County and the State of Minnesota issued a joint request for proposals for potential solar locations. Using the best value process, a panel including Hennepin County staff reviewed proposals from four vendors and chose Innovative Power Solutions, Inc. The vendor would install, own, and maintain a solar system at the Adult Correctional Facility for a period of 20 years based on the price stated in the 2018 proposal. The county would purchase the power based on a cost per kilowatt-hour produced. An initial power purchase agreement was signed on March 10, 2020 and was amended and, due to increased panel efficiency and additional contract terms, restated on August 9, 2022.

Innovative Power Systems, Inc. is no longer able to secure financing and complete the project under the original proposed purchase price. The county and Innovative Power Solutions, Inc. agree to terminate the amended and restated solar power purchase Agreement PR00002060. This agreement will terminate easements granted for the project and will release all claims between the parties.

Facility Services now plans to directly purchase, own, and maintain this solar array along with several others in the county due to the county's ability to directly benefit from the energy investment tax credits.

Current Request: Terminate the amended and restated solar power purchase Agreement PR00002060 with Innovative Power Systems, Inc. to purchase power from a ground mounted solar array proposed to be installed at the Adult Correctional Facility.

Impact/Outcomes: The agreement with Innovative Power Systems, Inc. will be terminated, and the county will implement the solar array at the Adult Correctional Facility.

Recommendation from County Administrator: Recommend Approval

HENNEPIN COUNTY

MINNESOTA

300 South Sixth Street
Minneapolis, MN
55487-0240

Board Action Request

23-0355

Item Description:

Authorization to adopt Laws of Minnesota 2023, Chapter 64, Article 8, Section 3, as requested by the City of Bloomington, for the purpose of extending the maximum duration of the Bloomington Central Station (County No. 1375) by five years, to 12/31/2044

Resolution:

BE IT RESOLVED, that having received a request from the City of Bloomington, the Hennepin County Board of Commissioners hereby adopts Laws of Minnesota 2023, Chapter 64, Article 8, Section 3 for the purpose of extending the maximum duration of the Bloomington Central Station Tax Increment Financing District (County No. 1375) by five years to December 31, 2044; and

BE IT FURTHER RESOLVED, that the Clerk of the Board is hereby authorized and directed to file the certificate and a copy of this resolution, as approved, with the Minnesota Secretary of State as required by Minnesota Statutes, Section 645.021, subdivision 3, and Section 469.1782, subdivision 2 of the TIF Act.

Background:

The City of Bloomington created the Bloomington Central Station Tax Increment Financing District, with a maximum duration of 25 years from the first receipt of tax increment, on January 18, 2005 for the purpose of facilitating redevelopment of the South Loop area with housing, commercial and retail development. The Legislature subsequently passed special laws in 2008, 2013, and 2019 to extend the duration of this tax increment financing district, with the City of Bloomington, Hennepin County, and the Bloomington School District (I.S.D. 271) also adopting those extensions.

The City of Bloomington is again requesting an extension of this district. Laws of Minnesota 2023, Chapter 64, Article 8, Section 3 provides that, upon adoption of the Special Law by the City of Bloomington, the Hennepin County Board of Commissioners, and the School Board of Independent School District No. 271, the maximum duration of the TIF District may be extended to December 31, 2044. An extension of the TIF district will provide additional revenues to pay for infrastructure improvements necessary to support planned development.

On July 31, 2023 the City of Bloomington and the Bloomington Port Authority adopted resolutions approving Laws of Minnesota 2023, Chapter 64, Article 8, Section 3.

On August 28, 2023, the School Board of I.S.D. 271 adopted a resolution approving Laws of Minnesota 2023, Chapter 64, Article 8, Section 3.

Recommendation from County Administrator: Recommend Approval

HENNEPIN COUNTY

MINNESOTA

300 South Sixth Street
Minneapolis, MN
55487-0240

Board Action Request

23-0374

Item Description:

Authorize the County Administrator to negotiate and execute amendments to agreements with providers to support the Hennepin County Opioid Framework; Amd 18 Agmts addressing opioid treatment and prevention, incr NTE by \$2,351,841 and ext end date to 12/31/23

Resolution:

BE IT RESOLVED, that the County Administrator be authorized to negotiate and execute amendments to agreements with providers for eligible services and programs to prevent, treat, and use other strategies to support the Hennepin County Opioid Framework using Opioid Settlement Funds; that following review and approval by the County Attorney's Office, the County Administrator be authorized to sign the agreements; and the Controller be authorized to transfer or disburse funds as directed; and

BE IT FURTHER RESOLVED, that the 18 Agreements authorized by Board Resolution 22-0404 R1 addressing opioid treatment and prevention, have their collective not to exceed amount increased by \$2,351,841 for a new total collective not to exceed amount of \$3,956,326 in Opioid Settlement Funds; and that their end dates be extended from September 30, 2023 to December 31, 2023.

Background:

Board Resolution 22-0404 R1 authorized the expenditure of \$1,604,485 for 18 contract renewals addressing opioid treatment and prevention from the first funds allocated directly to Hennepin County from the National Settlement Agreements with Johnson & Johnson, AmerisourceBergen, Cardinal Health, and McKesson and expected bankruptcy resolutions with Purdue Pharma L.P. and Mallinckrodt plc. ("Opioid Settlement Funds").

It also authorized the County Administrator to negotiate agreements with providers for eligible services and programs to prevent, treat, and use other strategies to support the Hennepin County Opioid Framework. These agreements comply with the Minnesota Opioids State-Subdivision Memorandum of Agreement in sections: A01, A05, A08, A11, B02, B03, B06, B10, B13, C11, D05, E01, E06, G01, G06, G10, H01, H03, H09, H10, H11, L01, J03.

This Board Action Request seeks authority to allow the County Administrator to negotiate and execute amendments to agreements with providers for eligible services and programs to prevent, treat, and use other strategies in support of the Hennepin County Opioid Framework.

Opioid Settlement Funds allocated to Hennepin County over 18 years (currently estimated to exceed \$42.3 million original amount) are being deposited in a Special Revenue Fund and will be expended yearly. Annual expenditure may include up to a 10% allotment for administrative expenses.

In compliance with the opioid settlement terms, Minnesota Opioids State-Subdivision Memorandum of Agreement, the Opioid Settlement Funds will be used to enhance current and new strategies that will support the Hennepin County Opioid Framework, which calls for prevention, response, and treatment with a strong focus on disparity reduction. This will incorporate lived experience, new themes, and communities affected disproportionately.

The Minnesota Opioids State-Subdivision Memorandum of Agreement, which all counties in Minnesota signed on to, requires a variety of reporting and evaluation criteria, such as an annual public meeting regarding the use of the Opioid Settlement Funds, as well as collaboration with the State, cities, and community stakeholders. The Opioid Settlement Funds must be used and designated for future opioid remediation activities in public health, human services, and public safety, which includes:

PREVENTION

- Prevent over prescribing and ensure appropriate prescribing and dispensing opioids
- Prevent misuse of Opioids
- Prevent overdose deaths and other harm reduction

TREATMENT

- Treat Opioid use disorder
- Support people in treatment and recovery
- Connect people who need help to the help they need
- Address the needs of criminal justice involved persons
- Address the needs of the prenatal population, caregivers, and families

OTHER STRATEGIES

- First Responders
- Leadership, planning, and coordination
- Training
- Research
- Post-Mortem

Recommendation from County Administrator: Recommend Approval