

The Ramsey County Board of Commissioners met in regular session with the following members present: Bennett, Carter, McDonough (late), Ortega, Reinhardt, Rettman, and Chair Parker – 7. Absent: - 0. Also present were David Twa, County Manager, and Darwin Lookingbill, Director, Civil Division, County Attorney's Office.

#### PLEDGE OF ALLEGIANCE

All in attendance recited the Pledge of Allegiance.

#### AGENDA

Commissioner Carter moved approval of the Agenda of the April 8, 2008 Board Meeting, seconded by Commissioner Reinhardt. Roll Call: Ayes – Ortega, Reinhardt, Rettman, Bennett, Carter, Parker – 6. Nays – 0.

#### MINUTES

Commissioner Reinhardt moved approval of the Minutes of the April 1, 2008 Board Meeting, seconded by Commissioner Rettman. Roll Call: Ayes – Ortega, Reinhardt, Rettman, Bennett, Carter, Parker – 6. Nays – 0.

#### PROCLAMATION – National Public Health Week

Commissioner Rettman read a proclamation recognizing and acknowledging employees in public health, and established the week of April 7-13, 2008, as Public Health Week in Ramsey County. Jane Norbin, Director, Health Policy & Planning, Department of Public Health, accepted the Proclamation on behalf of all public health employees, and thanked the County Board and County Manager for their continued support for public health.

#### PROCLAMATION – National County Government Week

Chair Parker read a proclamation declaring April 6-12, 2008, as National County Government Week in Ramsey County.

#### PUBLIC WORKS – Supplemental Agreement No. 2 to Professional Services Agreement PW2005-12 between Ramsey County and Short Elliot Hendrickson, Inc.

Commissioner Ortega introduced the following resolution and moved its adoption, seconded by Commissioner Bennett. Roll Call: Ayes – Ortega, Reinhardt, Rettman, Bennett, Carter, Parker – 6. Nays – 0. (2008-126)

WHEREAS, Ramsey County Public Works, in cooperation with Anoka County, the Minnesota Department of Transportation (Mn/DOT), the Cities of Blaine, Mounds View, and Shoreview has developed plans and specifications for reconstructing County Road J from Airport Road to Naples Street, including a new Bridge at I-35W -- S.A.P. 62-601-11, S.A.P. 02-632-14, and S.P. 6284-137; and

WHEREAS, The Ramsey County Board of Commissioners approved Professional Services Agreement PW2005-12 between Ramsey County and SEH, Inc. on June 28, 2005, via Resolution 2005-250; and

(Continued)

WHEREAS, The Ramsey County Board of Commissioners approved Supplemental Agreement 1 to Professional Services Agreement PW2005-12 on April 25, 2006, via Resolution 2006-149, addressing the additional work up to initiation of construction, the ongoing right of way and relocation services, and the environmental testing and reporting; and

WHEREAS, The County Project Engineer has determined that additional work is required to support ongoing right of way condemnation proceedings and the additional services are beyond both the original scope of the work and the additional services provided in Supplemental Agreement Number 1; and

WHEREAS, Supplemental Agreement No. 2 to Professional Service Agreement PW2005-12 has been prepared to address the additional technical engineering services, supplemental right of way documentation and appraisal services, and expert testimony for hearing and/or court proceedings; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners approves Supplemental Agreement No. 2 to Professional Services Agreement PW2005-12 between Ramsey County and SEH, Inc.; and Be It Further

RESOLVED, The Board authorizes the Chair and Chief Clerk to execute Supplemental Agreement No. 2 to Professional Services Agreement PW2005-12 between Ramsey County and SEH, Inc.; and Be It Further

RESOLVED, The Board authorizes the following budget adjustment:

TRANSFER FROM APPROPRIATION

2005	17304	550880	00000	442305	Co Rd J – Rd Construction P033225	\$43,800
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TRANSFER TO/INCREASE APPROPRIATION

2005	17304	550880	00000	442109	Other Prof Svcs – Capital P033225	\$43,800
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and Be It Further

RESOLVED, The Ramsey County Board of Commissioners approves a temporary cash loan not to exceed \$43,800 from the County General Fund to the Road and Bridge CIP fund until receipt of participating funds from the state bonds that support this project.

BOARD OF RAMSEY COUNTY COMMISSIONERS – Appointments to the Corrections Advisory Board

Commissioner Ortega introduced the following resolution and moved its adoption, seconded by Commissioner Bennett. Roll Call: Ayes – Ortega, Reinhardt, Rettman, Bennett, Carter, Parker – 6. Nays – 0. (2008-127)

WHEREAS, As per the Open Appointment process, vacancies on the Corrections Advisory Board were advertised; and

**(Continued)**

WHEREAS, Applications were received from incumbents and new applicants; and

WHEREAS, The Director of the Ramsey County Department of Community Corrections recommended that all incumbents be reappointed for the term of 2008-2009 and that several new applicants also be appointed, based on their broad experience and representation; and

WHEREAS, One vacancy will remain on this Board in the area of law enforcement; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners hereby ratifies the appointment of the following individuals to the Ramsey County Corrections Advisory Board for terms beginning with the date of appointment and ending December 31, 2009:

<u>NAME</u>	<u>REPRESENTING</u>	<u>DISTRICT</u>
Eric Balcerzak	Twin Cities RISE!	3
Russell T. Ballenger	Amicus	4
Edward C. Cassidy	Community	4
George Clabon	HIRED	Lives outside County
Lawrence D. Cohen	Judicial	6
D. L. Diltz	Community	1
Nancy Houlton	Ramsey County Community Human Services	3
Judge J. Thomas Mott	Judicial	6
Theresa A. Neal	St. Paul Schools	4
Jack Rhodes	County Attorney Representative	4
Walter Russell Sass	DOC Representative	7
Sarah C. Walker	180 Degrees	5
Open	Law Enforcement	

PUBLIC HEALTH – Extension of Agreement with City of White Bear Lake for a Household Hazardous Waste Collection Facility

Commissioner Ortega introduced the following resolution and moved its adoption, seconded by Commissioner Bennett. Roll Call: Ayes – Ortega, Reinhardt, Rettman, Bennett, Carter, Parker – 6. Nays – 0. (2008-128)

WHEREAS, Minnesota Statutes §115A.96 Subd. 6 and §473.804 require Ramsey County to develop and implement a permanent household hazardous waste (HHW) program, including at least quarterly collection of HHW; and

WHEREAS, The County has provided a permanent HHW program since 1991 and desires to continue to provide convenient HHW management services to its residents; and

WHEREAS, On December 16, 1997, and again on July 8, 2003, the County Board approved five-year terms for an Agreement with the City of White Bear Lake to establish a Household Hazardous Waste Collection Facility, from 1998-2002 and 2003-2007, respectively; and

(Continued)

WHEREAS, On November 16, 2004, the County Board approved the Regional/Ramsey County Solid Waste Master Plan, which directs that Ramsey County will provide for HHW management services at a level of convenience and financial accessibility that discourages improper management while not providing a disincentive for reducing the amount of HHW produced in the future, and in a cost-effective manner that minimizes risks to public health, occupational health, property and the environment; and

WHEREAS, The Agreement with the City of White Bear Lake to establish a Household Hazardous Waste Collection Facility can be renewed for additional five-year periods upon adoption of approving resolutions by the City and County; and

WHEREAS, Pursuant to the previous Agreement, the County has established a HHW satellite site in the City of White Bear Lake and provided HHW collection services there each year since 1998, and wishes to continue offering this service by extending the previous Agreement for a five-year period; and

WHEREAS, The City of White Bear Lake has approved extension of the Agreement through 2012; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners authorizes the County Manager to execute an extension of the Agreement with the City of White Bear Lake for a Household Hazardous Waste Collection Facility, for an additional five years, in a form to be approved by the County Attorney, with a term of January 1, 2008, through December 31, 2012.

WORKFORCE SOLUTIONS – Approval of PY2008 Local Plan Update for the Workforce Investment Act Youth and Minnesota Youth Programs

Commissioner Ortega introduced the following resolution and moved its adoption, seconded by Commissioner Bennett. Roll Call: Ayes – Ortega, Reinhardt, Rettman, Bennett, Carter, Parker – 6. Nays – 0. (2008-129)

WHEREAS, The State of Minnesota requires an annual update to the Local Plan for the youth program under the Workforce Investment Act (“WIA”) and the Minnesota Youth Program (“MYP”); and

WHEREAS, The WIA/MYP Local Plan Update for program year 2008 (April 1, 2008 through March 31, 2009) is due to the Minnesota Department of Employment and Economic Development (“DEED”) on April 11, 2008; and

WHEREAS, Both the Ramsey County Board of Commissioners and the local Workforce Investment Board (“WIB”) are required to approve and sign the Local Plan update for WIA Youth and the MYP; and

WHEREAS, The PY 2008 WIA/MYP Local Plan Update was approved by the WIB Youth Council on February 28, 2008, and it is anticipated that it will be approved by the WIB at their meeting of April 3, 2008; and

*(Continued)*

WHEREAS, Staff from Workforce Solutions recommend approval of the Program Year 2008 WIA/MYP Local Plan Update; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners approves the PY 2008 Local Plan Update for the WIA Youth Program and the MYP; and Be It Further

RESOLVED, The Ramsey County Board of Commissioners authorizes the Chair and Chief Clerk to execute the PY 2008 Local Plan Update; and Be It Further

RESOLVED, The Ramsey County Board of Commissioners authorizes the County Manager to execute amendments to the PY 2008 Local Plan Update; and Be It Further

RESOLVED, The Ramsey County Board of Commissioners authorizes the acceptance and expenditure of PY 2008 Federal funds for WIA Title 1 and Minnesota Youth programs; and Be It Further

RESOLVED, The Ramsey County Board of Commissioners authorizes the County Manager to make temporary cash loans as needed from the County General Revenue Fund to Workforce Solutions in order to cover program expenses until federal and state youth program funds are received, with repayments to be made upon receipt of the funds; and Be It Further

RESOLVED, The Ramsey County Board of Commissioners authorizes the County Manager to sign any additional funding agreements and amendments, and amendments to agreements with youth program service providers.

PROPERTY RECORDS AND REVENUE – Applications to convey a tax forfeited property by use deed, in accordance with the targeted neighborhood requirements, to the Housing and Redevelopment Authority of the City of Saint Paul, MN, a political subdivision

(Commissioner McDonough arrived during the following discussion.)

Commissioner Rettman said the action for these next seven items is to either approve or deny the applications for conveyance by use deed to the City of St. Paul.

Commissioner Rettman moved for denial on the property north of 946 Farrington Avenue. Commissioner Ortega seconded the motion for the purpose of discussion.

Commissioner Rettman said she feels passionately about tax-forfeited properties. When she had first been elected as a City of St. Paul Councilmember, the number one issue at that time was a tax-forfeited property within 40 feet of a residential property containing hazardous waste. She helped write the demolition ordinance that tore down the building and put back on the owner the responsibility of cleanup and its cost. The City of St. Paul has worked hard on standards that uphold and create value back in neighborhoods. These properties are all in are targeted neighborhoods.

Commissioner Rettman said by virtue of an unfunded mandate, the State of Minnesota has deeded these properties to the County. The County can determine whether or not to deed properties through use deed to a municipality, or to take them to auction to get them, from the legislative perspective, back on the tax rolls as soon as possible. She attends all the auctions, where if people had the money, they could arrange to pay over a determined period of time, to get

**(Continued)**

their property. It does not mitigate their responsibility to be up to code. It is announced at the hearings that all of the fees and permits from the municipalities must still be adhered to, and full disclosure is given.

Commissioner Rettman said Property Records and Revenue has the capacity to put some of these properties back on the tax rolls. Cited in the September 25, 2007 minutes when these items had been laid over, Commissioner Reinhardt had asked the question on the 40-40-20 split, and Darwin Lookingbill, County Attorney's Office, was to have looked at the statute. She does not know if the statute had been reviewed and reported to the Board, about whether or not the City would split the dollar amount. If the County sells property at auction, the City, the School District and the County get money. The City would also get all their previous assessments paid. She asked if that could be done reversely. Under 469.202, is parking and green space considered to meet the legislative intent, that it meets certain criteria? Three of these properties are splinter parcels, which could be sold to adjacent owners by the County right now. They would need to meet all the criteria. The remaining lots are 40X125 feet or 50X100 feet, making them buildable lots.

Commissioner Ortega said this could be simplified. Some of these properties have neighbors on either side, and those are not controversial.

Chair Parker asked Commissioner Ortega if he would like to make a motion on those non-controversial properties.

Commissioner Ortega asked to hear about the benefit for the properties.

Amy Filice, City of St. Paul, Department of Planning and Economic Development (PED); Cindy Carlson Heins, St. Paul PED; Kris Kujala, Property Records and Revenue, Tax Forfeited Land; and Mark Oswald, Director, Property Records and Revenue, introduced themselves.

Ms. Filice said the City of St. Paul has appreciated the good partnership it has had in the past between the City and County. Conveyance of properties to the City of St. Paul is considered a valuable tool in investing with the neighborhoods, working with the neighborhood groups and residents, using these properties to stabilize the neighborhoods, and to improve the tax base for the benefit of the City and Ramsey County. There are a few issues in the discussion City staff had with the City Attorney, who respectfully disagree with Commissioner Rettman's interpretation, that it is a "you may do it, you may not do it" sort of transaction. In their interpretation of the statute, they believe it is a shell to transfer these properties. Rather than leaning on that, this is for the benefit of both Ramsey County and St. Paul. Being able to control the use of these properties helps the City be much more strategic in some of their efforts to redevelop the neighborhoods and improve the situations in some areas of the City. They would appreciate conveyance of these properties to the City so they could get on with some of their strategic plans.

Commissioner Ortega appreciated Ms. Filice's comments. He would like to address the properties where neighbors might add to their property because those would automatically be put back on the tax rolls, and then discuss the other two.

Ms. Filice said Ms. Carlson handles all the property for the City Housing and Redevelopment Authority (HRA). She has all the details and can answer any questions.

Ms. Carlson said when looking at all these properties, although the City requested them before the Invest St. Paul (ISP) areas were determined, all except two are within a block of ISP areas. ISP areas are a focus area of the Mayor's Office and PED, which have high levels of vacant housing and foreclosed properties in the City. This is an internal target area where the City is trying to pick up houses in order to hold them for the market turn-around with the idea to continue to foster home ownership.

Chair Parker asked if they are the same areas that were designated by the Legislature and what the County calls "targeted neighborhoods".

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Ms. Carlson Heins said they are similar but the boundaries may be different.

Commissioner Ortega said there is overlap.

Ms. Kujala said the ISP areas are a smaller subset within targeted neighborhoods and probably take up four-six block areas within targeted neighborhoods that are already established.

Ms. Carlson Heins said all these properties are in, or very close to, those areas. Agenda item 10.3 for the property at 952 Farrington is zoned for business but the City is looking at it in a small area plan for future residential development; it is a small lot. The City's focus is in looking at the future use of these properties. They worked very closely with the neighborhoods to determine the use of these properties. When the properties are picked up in ISP areas, there is intense work with the neighborhoods on what is happening in them. They are all vacant lots right now. Item 10.4 -- 559 Lawson Avenue -- is being looked at for a sideyard; this is a small lot. Some of the neighborhoods don't have a lot of space around them though the intention was rather than leave them for residential development, the City would try to enhance the existing properties. 10.5, referred to as 780 Buffalo Street, is for residential development for sideyard. It is a 40' x 50' lot.

Commissioner Rettman asked if the City would sell the property to the adjacent owners. Right now, the County could meet with the individual owners and have the property back on the tax rolls. What is the difference between the City selling the property or the County selling the property as a sideyard?

Ms. Carlson Heins said some things taken into consideration are the condition of the property of the prospective buyer. If the property owner on either side of the vacant property is not taking care of their own property, the City would hold the vacant property. If the property ends up in disrepair and ends up being demolished, there is then a larger piece of land. Sometimes by working with the owner, they are compelled to do some work on the property, not only improving their own property but the additional land that enhances their whole piece of property. That is the philosophy the City is working under and sometimes why the property is held longer than they would hope to. They work closely with the neighborhoods and neighborhood district councils.

Commissioner Reinhardt asked if at no point are the properties sold to the neighbors; are they just held?

Ms. Carlson Heins said they would be sold to the neighbors. She is not familiar with each property, but it is recognized they are on very small lots. If the neighbor's home is in good condition and they are willing to work with the City, definitely, that is the intention, to sell for sideyard, sometimes for buffer between where there is not a lot of space between, or the lot is not large enough to be built on. It is a case-by-case situation.

Chair Parker asked what the City is planning to do with each of the properties?

Ms. Filice distributed a list of the properties with the intended uses.

Ms. Carlson Heins said the properties are basically sideyards. 10.5 would be for residential sideyard because it is a side lot. In most cases, the intention is to sell these lots to adjacent neighbors.

Ms. Carter asked what the alternatives would be for the intent to sell the properties as side lots.

Ms. Carlson Heins said in many cases, if the structures next to the property fall into disrepair or they become a problem and end up being demolished, which in this economy is a real possibility, they would become a larger piece of land to develop. To some degree the City is looking into the future. If the property is recognized to be too small to develop on its own, the highest and best use would be for a larger development site, or for sideyard to an existing house.

Commissioner Rettman asked County staff how they would handle these properties, and what would be the difference from how the City would handle them.

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Ms. Kujala said the County would handle the properties in a similar manner to how the City HRA/PED would handle some of their properties. Typically, she goes out to the property to look at who might be the best owner. Sometimes it is obvious on the “layout of the land”; some are fenced in; some adjacent properties are already using the lot as part of their yard, having staked out the lot with landscaping and fences. It happens because the properties languish on the tax rolls for a while and people encroach upon them. The lots are looked at for any encroachment with driveways, sheds, garages, etc. The people are approached to discuss the realities of the property and give them the alternative of a sale through the adjacent owner sale. If they don’t buy it, it can be put up for public auction and then anyone can own it. That is probably the biggest difference between the County and the City in having the ability to auction the properties to anyone who would want to purchase them.

Commissioner Ortega asked how the County is doing on auctions. If these properties went to auction, would they sell right away?

Ms. Kujala said we need to be mindful of what the City looks like in relationship to the foreclosures. Even though forfeitures are not strictly related to foreclosures, they can affect the whole layout of the land at this time. The County would look at it as being responsible partners within the City as to whether the properties would be put up for auction right now.

Commissioner Ortega said that drives to his point. He agreed with Commissioner Rettman that we want to put as many properties on the tax rolls as possible. The properties in the City of St. Paul, or in any other municipality, is done within the context for what the vision is for that city in terms of the future and how they want to stimulate housing or development with some of these lots. That must be taken into consideration. The City and County would operate in much the same manner with the difference being the vision of a city’s development, especially in targeted areas. Some of this housing is at question – should they even be up – that is the City’s roll. Unless there are overwhelming factors, he is trying to see where he would object to having the City obtain these properties. He did not see a huge issue.

Chair Parker clarified that the tax-forfeited properties are very different from the mortgage foreclosure issue; this is specifically for properties that have been forfeited because the taxes have not been paid.

Commissioner Carter said the line of questions leads to a conclusion that the City is watching its small area planning process and has worked with the neighbors and community on the actual status of our neighborhoods. As we look at this and understand that the actions would be similar, with the difference being the close relationship with those neighborhoods in planning in this way, the tax-forfeiture and the foreclosure circumstance being so related, we do have to watch very carefully and not make the individual decision to get that property back on the tax rolls as quickly as possible, without understanding the status of those neighboring areas. Though the County could act today and make those decisions, it sounds as though that is what staff are attending to; they have not neglected to look on either side in looking particularly at side lots to determine whether there are owners who might want to purchase the property. As staff proceed, they are attending to that early on or with the idea to develop the property and watch the others to see what is happening. She asked if that is correct?

Ms. Filice said when the properties are identified, they work very closely with the neighborhood groups, the specific neighborhoods in that area, and with planning staff to see how it lines up with the other City plans. It is not a random decision to ask for a particular property; it is well thought out.

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Commissioner Carter said in looking over the properties the County transferred, the City has looked at properties, redeveloped them, invested in them, and over time, many have gone back on the tax rolls. It appears that the City is making certain that at the right point in time, the properties come back on the tax rolls.

Ms. Filice said the City has invested a significant amount of HRA money into the properties received from the County, close to \$750,000 within the last five years. It has increased the taxable market value on the tax rolls to a little under \$6 million. The City feels it is adding significant value as well as having stabilization in the neighborhoods.

Commissioner Rettman said on the sideyard issues, when on the City Council, she brought in the splinter parcel property policy. The property would be obtained for free, if kept up, and taxes paid on it for five years. She doesn't know if that is currently being used. She asked if the City sells the sideyards, would they share any of the proceeds. If the County sells the sideyards to the adjacent owners, the City would get any assessments back.

Ms. Filice said she is not certain about the sideyard policy and whether that is being used; she would have to report back on that. She has been made aware of the 40-40-20 split and spoke with the City Attorney's Office about what the previous discussion had been. It is the opinion of the City Attorney's Office that there is no authority in ordinances or in statute to do that sort of revenue sharing, and they were advised against taking a resolution to the City Council about that.

Commissioner Rettman said that goes back to her original question to Darwin Lookingbill.

Mr. Lookingbill apologized for not getting back to the Commissioners on that question, but his office did look into the issues. He concurred with the City Attorney's Office that there is no authority that would bind them to honor that type of agreement. They could in good faith enter into an agreement to say they would split the money, but if future administrations said "no, we don't agree with that", there is nothing the County could do to enforce it; there is no substantive law that would back that up. The County can't put any kind of deed restriction or anything like that on it that uses an enforcement remedy. As far as the green space and parking, that is compliant with the statute.

Commissioner Reinhardt recalled receiving an email from Mr. Lookingbill about that. The Board had asked if there was a way to make this binding. She remembered from the previous conversation, even if something could not be done to make it binding, that the City was willing to do that. She asked if there is still a willingness on the part of the City to do that if the City sells a property and makes money, and it goes back on the tax rolls, the same as the County would do if selling the property -- is the City willing to do that?

Ms. Filice reviewed the June 14, 2005 memo from Susan Kimberly to the Board that stated she would report on any properties the City makes a profit on: "will provide information and explanation regarding the disposition of sales profits; profits shall be defined...". It did not state any offer to split the proceeds. Ms. Filice said she is unaware when it was said the City was willing to do that. She could not make the commitment on behalf of the HRA as to whether the City would be willing to do that.

Commissioner Reinhardt said there had been a great deal of discussion about that and there was a previous administration. She suggested a layover on these properties to allow City staff to go back with the question about whether or not there would be a willingness on the part of the City if the property is sold at a profit, would this administration be willing to do the 40-40-20 split. Getting an answer to that point makes sense. The response may be "no", but, in the spirit of intergovernmental relationships they might be willing to do so.

Commissioner Carter said that is an appropriate question. In a previous version of the property list, it was shown what the property had been purchased for from the County, and what it

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had sold for and when, and the investment the City had made. Looking at one document now, she did not see the City's HRA funds invested. She said it appears the properties were purchased for the most part for small amounts and sold for \$1.00 or some similar amount to the City's cost of acquisition. She asked if there are examples on the list since 2002 of properties that were sold at profit, what they were purchased for, what they were sold for, and what the City had invested from its HRA funds.

\*Ms. Filice said the only one on this particular list sold for about \$36,000. While the City sold it at that amount, it was not reduced by the price of staff time, acquisition costs, any cleanup and maintenance costs the City put into it while holding it. Staff don't believe much profit is made on these; if looking at all the City's costs, in reality it would probably be zero. They are willing to have the discussion about splitting the profits, and perhaps have a discussion on splitting the amount of money put into the properties to return them to the tax rolls, which would be fair on both sides.

Commissioner Carter asked for clarification that the City did not consider the cost of HRA investments in that particular property.

Mr. Filice responded affirmatively, for that particular property.

Ms. Carlson Heins said 229 Earl is probably the most recent property the City acquired tax-forfeited with a house. It is rare they acquire a house. This property is in the Dayton's Bluff area, and was intentionally acquired to rehab it or evaluate whether it should be rehabbed. It was found to be a very expensive renovation so City staff spent time with the neighborhood, which wanted to save the house. A Request For Proposals (RFPs) was put out, with one proposal from a person who wanted to redevelop the house. A number of requirements had been established, one being to demolish a small building behind it. There is no off-street parking; it is not a perfect property and an expensive one to build. The City would get money for this one, but the proposal has requirements on the property. They have one year to renovate it and homestead it as part of the procedure, as listed on the deed. In these types of cases, the City is targeted on how they work with the neighborhoods for their input, as well as spending a lot of time while the projects are underway.

Commissioner Rettman said this property is cited on the list attached to a memo from the County Manager's Office, dated April 3, 2008.

Chair Parker said 229 Earl is not on the County Board Agenda today.

Ms. Carlson Heins said this property was previously picked up, and used as an example where the City made a profit, but it is rare that they do. It is a different procedure and involved a house, and a good example of how the City works with the neighborhoods. It shows up as residential non-homestead because the owner has taken title, but they are working on it and not living in it yet. Upon completion of the project, it will go to homestead. If the project is not completed, the City would take back the property. It was conveyed to the owner in November 2007.

Commissioner Carter asked if the City would provide a specific report on that property because a profit was received from the sale. How would that report come to the County Board?

Ms. Filice said according to the agreement Ms. Kimberly had with the County during the previous administration, that is what they would be doing. Part of that agreement is to provide a spreadsheet so the County would know whether the City is making a profit or not. It was agreed to attach that sort of information, and they can add to that list when coming forward to request conveyance of a tax-forfeit property.

Commissioner Ortega said he doesn't disagree with Commissioner Reinhardt in clarifying where we are at with the split of the dollars. He cautioned in looking at "balance sheets" with costs, expenses – how much work are we creating for a procedure that is so much the City's domain. He heard County staff say they would work with the City on these properties. This has been discussed twice and he didn't feel that any conclusion has been reached. The Board could go through this

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district-by-district, but he wants the properties in his district turned over to the City. Unless the Board directs staff right now, he wants the City to do this and to hold them accountable to the pieces of parcels within his district. That is the relationship we have, and he wants that relationship clarified. It is one thing to put the properties on the tax rolls; we all want that, but how we go about that, and what the future plan is for these neighborhoods is the other question. He wants a clarification on the 40-40-20 split; what if the City comes back to say, “no, we are not going to do that”, where does that leave the County?

Commissioner Bennett said a good faith agreement might be needed on every individual property that the City would share with the County. Legally, there can be no binding agreements.

Commissioner Reinhardt said this is not about a lot of money. The County has costs associated as well, and is trying to do the same thing as the City, and that is to recover the costs. On the issue of when property is sold, the profit means any costs put into it are taken out before a profit is determined. There may have been properties where the City has taken a loss, but it doesn't appear that way on the list. She asked for consideration from the City, when there is a true profit made, to try to make the County whole. Other than denying the requests, which doesn't get to the 40-40-20 either, it doesn't make sense. It is a good faith argument – the County can't make this binding, but would like the City to help cover some of the County's costs if a profit is made – would that be considered? She agreed with Commissioner Ortega that nothing can be put in here to make that binding, but it is a reasonable request for City staff to take back to its administration.

Ms. Filice said staff could take that back for discussion. There have been some brief discussions among staff. It is correct that the City and County both have staff costs they would like to recover. When looking at the balance sheet there is the \$750,000 in HRA money that was put into it to return the properties to the tax rolls, which also benefits the County. It is not just the \$36,000; it is the significant public dollars put into it through the HRA, which may all need to be taken into account.

Commissioner Reinhardt said she is not saying that shouldn't be done, but if there is something above and beyond that that can help make the County whole, she would like that considered.

Commissioner Rettman said through the auction process, many houses have been returned using no governmental money. We are in this with the same goal, and the auction is the way the County has recovered costs. There is the same upkeep before going to auction or being conveyed to the City. She is trying to make sure in the 40-40-20 split that all governmental entities are made whole. We all care about the same folks and neighborhoods. The County is asking for same consideration given to the 40-40-20 split.

Commissioner Ortega said he agrees, but in this case we are talking about small lots, and trying to enhance the possibility of them being developable into the future. This needs to be put into context, and clarification is needed beyond the split, which is not going to bring in a lot of money, but rather how to move forward in the spirit of things because the best return is when the properties are put on the tax rolls with permanent residents. That is the return we want, and what the City is trying to do. With small lots like this, it is the City's job to look into the future with these small pieces of lots; it is a land bank, in piecing them together all the time.

Chair Parker agreed that the County and City have the same goal in mind – to get the properties back on the tax rolls. What is the best way to do that? She does not care so much about getting a part of the profit. She asked if the County has a similar process involving neighbors that Ms. Filice mentioned for the City involvement.

*(Continued)*

Ms. Kujala said there is a process allowing for the sale of sliver lots to adjacent property owners. They can be approached verbally and offer the property for sale to each one, or they can hold an adjacent-owner-only auction so that the people who attend the auction are just specific adjacent owners to that particular property. That would limit the pool of candidates at the sale.

Chair Parker asked if consideration is given for whether the adjacent owners are up-to-date on their taxes? The County doesn't get involved in the kind of property management codes that the City does.

Ms. Kujala said the County doesn't get involved in local city ordinances of upkeep of property. What she always looks for when selling these properties is exactly what they are looking at in regard to maintenance and upkeep and having the viable means to actually purchase the property. When knocking on the door to talk to the adjacent owners, they will provide feedback on whether they can afford to buy the property. There is no forcing of the property, it is whether they have the means to take it or not, and, what does the lay-of-the land look like when looking at these properties.

Chair Parker said the motion on the floor is to deny the conveyance for item 10.3.

Commissioner Reinhardt suggested the following additional 'Resolved' clause: "Resolved, If a net profit is made on the sale of the property, the County respectfully requests consideration by the City of St. Paul of a 40/40/20 (City, County, School District) split of the proceeds". This would be added to each of the resolutions. She suggested "net profit", because there may not be one. This would be a request because the County can't mandate it. The County would be able to track whether or not there is a profit. If it is something the City would consider, this makes it more formal.

Commissioner Rettman, in the spirit of compromise, withdrew her motion to allow Commissioner Reinhardt to offer an amendment.

Commissioner Reinhardt moved approval of 10.3-10.9 with the following 'Resolved' clause added to each: "Resolved, If a net profit is made on the sale of the property, the County respectfully requests consideration by the City of St. Paul of a 40-40-20, (City, County, School District) split of the proceeds".

Commissioner Bennett said he would second the amended motion, but asked for a definition of the net profit. Does that mean that St. Paul takes its costs out first, and if so, would the County take its costs out before the split because we may have costs before giving it to them. Otherwise, this would be a good faith agreement.

David Twa, County Manager, clarified that the 40/40/20 split is actually 40-County; 40-School District; and 20-City.

Ms. Kujala said when the County turns over the properties; they are turned over for deed fees only at \$26.15, which basically pays for the deed and deed tax stamp. There are maintenance costs that occur on these properties at times. When there are, those maintenance costs are charged back to the City through statute.

Commissioner Bennett said from that explanation, he understands that the County is made whole before the split.

Ms. Kujala said that would be on the maintenance costs.

Commissioner Bennett said Commissioner Reinhardt's amendment would address that and there would be no costs to get on the net profit. All the County's costs would be taken care of except for the \$26.15.

Ms. Kujala said that is correct, the maintenance costs are paid.

Commissioner Bennett said they would get the net costs and the split. Would the County be at net cost when it gets the split?

Commissioner Ortega suggested looking at this as turning over future maintenance.

*(Continued)*

Commissioner Ortega called the question.

Commissioner Bennett seconded the motion with Commissioner Reinhardt's amendment for items 10.3 through 10.9.

Commissioner Rettman said there is another group of tax-forfeited properties and requested an update from Property Records and Revenue.

PROPERTY RECORDS AND REVENUE – One application to convey a tax forfeited property by use deed, in accordance with the targeted neighborhood requirements, to the Housing and Redevelopment Authority of the City of Saint Paul, MN, a political subdivision

Commissioner Reinhardt introduced the following resolution and moved its adoption, seconded by Commissioner Bennett. Roll Call: Ayes – McDonough, Ortega, Reinhardt, Rettman, Bennett, Carter, Parker – 7. Nays – 0. (2008-130)

WHEREAS, The Housing and Redevelopment Authority of the City of Saint Paul, Minnesota, has submitted one application for conveyance by Use Deed for a parcel of tax-forfeited land from the State of Minnesota; and

WHEREAS, The property is described as follows:

Lots 3 and 4, Block 1, Matz Subdivision of Lot 11, Wilkin and Heyward's Outlots to St. Paul, Minn. Note: There is a Maintenance Easement for the Southerly 10 feet of Lot 4, Block 1, for Lot 5, Block 1.

PIN: 25-29-23-42-0016

PA: North of 946 Farrington Ave., St. Paul MN 55117

Commissioner District 3; and

WHEREAS, The Tax Forfeited Lands section has determined that the parcel is located in a targeted neighborhood, as defined in Minnesota Statutes section 469.201, subd. 10, and within an eligible census tract, as defined by City Council Resolution #03-922; and

WHEREAS, The Housing and Redevelopment Authority of the City of St. Paul intends to use the property for the purpose of future residential development on vacant blighting property; and

WHEREAS, The Housing and Redevelopment Authority of the City of St. Paul has determined it necessary to obtain the parcel of tax-forfeited land in order to provide for the redevelopment of the land as productive taxable property; and

WHEREAS, The Housing and Redevelopment Authority of the City of St. Paul has determined that this need will otherwise not be met by solely relying upon private initiative or redevelopment; and

WHEREAS, This action is in compliance with Minnesota Statutes sections 282.01, subd. 1b(a) & (b); Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners has reviewed the application for conveyance by Use Deed of a parcel of tax-forfeited land located in a targeted neighborhood, and within an eligible census tract; and Be It Further

*(Continued)*

RESOLVED, The Ramsey County Board of Commissioners hereby approves the application to convey the property located North of 946 Farrington Ave., PIN: 25-29-23-42-0016, to the Housing and Redevelopment Authority of the City of St. Paul, Minnesota, exclusively for the redevelopment as productive taxable property; and Be It Further

RESOLVED, If a net profit is made on the sale of the property, the County respectfully requests consideration by the City of St. Paul of a 40-40-20 split of the proceeds.

PROPERTY RECORDS AND REVENUE – One application to convey a tax forfeited property by use deed, in accordance with the targeted neighborhood requirements, to the Housing and Redevelopment Authority of the City of Saint Paul, MN, a political subdivision

Commissioner Reinhardt introduced the following resolution and moved its adoption, seconded by Commissioner Bennett. Roll Call: Ayes – McDonough, Ortega, Reinhardt, Rettman, Bennett, Carter, Parker – 7. Nays – 0. (2008-131)

WHEREAS, The Housing and Redevelopment Authority of the City of Saint Paul, Minnesota, has submitted one application for conveyance by Use Deed for a parcel of tax-forfeited land from the State of Minnesota; and

WHEREAS, The property is described as follows:

Lot 14, except the West 61.5 feet thereof, Block 8, Fairview Addition to the City of St. Paul, Minnesota.

PIN: 29-29-22-24-0091

PA: East of 1024 Jessie St., St. Paul MN 55130

Commissioner District 3; and

WHEREAS, The Tax Forfeited Lands section has determined that the parcel is located in a targeted neighborhood, as defined in Minnesota Statutes section 469.201, subd. 10, and within an eligible census tract, as defined by City Council Resolution #03-922; and

WHEREAS, The Housing and Redevelopment Authority of the City of St. Paul intends to use the property for the purpose of residential sideyard on vacant blighting property; and

WHEREAS, The Housing and Redevelopment Authority of the City of St. Paul has determined it necessary to obtain the parcel of tax-forfeited land in order to provide for the redevelopment of the land as productive taxable property; and

WHEREAS, The Housing and Redevelopment Authority of the City of St. Paul has determined that this need will otherwise not be met by solely relying upon private initiative or redevelopment; and

WHEREAS, This action is in compliance with Minnesota Statutes sections 282.01, subd. 1b(a) & (b); Now, Therefore, Be It

*(Continued)*

RESOLVED, The Ramsey County Board of Commissioners has reviewed the application for conveyance by Use Deed of a parcel of tax-forfeited land located in a targeted neighborhood, and within an eligible census tract; and Be It Further

RESOLVED, The Ramsey County Board of Commissioners hereby approves the application to convey the property located East of 1024 Jessie St., PIN: 29-29-22-24-0091, to the Housing and Redevelopment Authority of the City of St. Paul, Minnesota, exclusively for the redevelopment as productive taxable property; and Be It Further

RESOLVED, If a net profit is made on the sale of the property, the County respectfully requests consideration by the City of St. Paul of a 40-40-20 split of the proceeds.

PROPERTY RECORDS AND REVENUE – One application to convey a tax forfeited property by use deed, in accordance with the targeted neighborhood requirements, to the Housing and Redevelopment Authority of the City of Saint Paul, MN, a political subdivision

Commissioner Reinhardt introduced the following resolution and moved its adoption, seconded by Commissioner Bennett. Roll Call: Ayes – McDonough, Ortega, Reinhardt, Rettman, Bennett, Carter, Parker – 7. Nays – 0. (2008-132)

WHEREAS, The Housing and Redevelopment Authority of the City of Saint Paul, Minnesota, has submitted one application for conveyance by Use Deed for a parcel of tax-forfeited land from the State of Minnesota; and

WHEREAS, The property is described as follows:

South 40 feet of the North 80 feet of Lot 15, Block 7, Edmund Rice's Second Addition to the City of St. Paul.

PIN: 30-29-22-43-0088

PA: South of 782 Buffalo St., St. Paul MN 55117

Commissioner District 3; and

WHEREAS, The Tax Forfeited Lands section has determined that the parcel is located in a targeted neighborhood, as defined in Minnesota Statutes section 469.201, subd. 10, and within an eligible census tract, as defined by City Council Resolution #03-922; and

WHEREAS, The Housing and Redevelopment Authority of the City of St. Paul intends to use the property for the purpose of residential sideyard development on vacant blighting property; and

WHEREAS, The Housing and Redevelopment Authority of the City of St. Paul has determined it necessary to obtain the parcel of tax-forfeited land in order to provide for the redevelopment of the land as productive taxable property; and

WHEREAS, The Housing and Redevelopment Authority of the City of St. Paul has determined that this need will otherwise not be met by solely relying upon private initiative or redevelopment; and

*(Continued)*

WHEREAS, This action is in compliance with Minnesota Statutes sections 282.01, subd. 1b(a) & (b); Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners has reviewed the application for conveyance by Use Deed of a parcel of tax-forfeited land located in a targeted neighborhood, and within an eligible census tract; and Be It Further

RESOLVED, The Ramsey County Board of Commissioners hereby approves the application to convey the property located South of 782 Buffalo St., PIN: 30-29-22-43-0088, to the Housing and Redevelopment Authority of the City of St. Paul, Minnesota, exclusively for the redevelopment as productive taxable property; and Be It Further

RESOLVED, If a net profit is made on the sale of the property, the County respectfully requests consideration by the City of St. Paul of a 40-40-20 split of the proceeds.

PROPERTY RECORDS AND REVENUE – One application to convey a tax forfeited property by use deed, in accordance with the targeted neighborhood requirements, to the Housing and Redevelopment Authority of the City of Saint Paul, MN, a political subdivision

Commissioner Reinhardt introduced the following resolution and moved its adoption, seconded by Commissioner Bennett. Roll Call: Ayes – McDonough, Ortega, Reinhardt, Rettman, Bennett, Carter, Parker – 7. Nays – 0. (2008-133)

WHEREAS, The Housing and Redevelopment Authority of the City of Saint Paul, Minnesota, has submitted one application for conveyance by Use Deed for a parcel of tax-forfeited land from the State of Minnesota; and

WHEREAS, The property is described as follows:

The West one-third of Lots 3, 4 and 5, Block 116, West St. Paul.  
PIN: 07-28-22-14-0126  
PA: South of 600 Stryker Ave., St. Paul MN 55107  
Commissioner District 5; and

WHEREAS, The Tax Forfeited Lands section has determined that the parcel is located in a targeted neighborhood, as defined in Minnesota Statutes section 469.201, subd. 10, and within an eligible census tract, as defined by City Council Resolution #03-922; and

WHEREAS, The Housing and Redevelopment Authority of the City of St. Paul intends to use the property for the purpose of conveying it to the adjacent property for sideyard on vacant blighting property; and

WHEREAS, The Housing and Redevelopment Authority of the City of St. Paul has determined it necessary to obtain the parcel of tax-forfeited land in order to provide for the redevelopment of the land as productive taxable property; and

*(Continued)*

WHEREAS, The Housing and Redevelopment Authority of the City of St. Paul has determined that this need will otherwise not be met by solely relying upon private initiative or redevelopment; and

WHEREAS, This action is in compliance with Minnesota Statutes sections 282.01, subd. 1b(a) & (b); Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners has reviewed the application for conveyance by Use Deed of a parcel of tax-forfeited land located in a targeted neighborhood, and within an eligible census tract; and Be It Further

RESOLVED, The Ramsey County Board of Commissioners hereby approves the application to convey the property located South of 600 Stryker Ave., PIN: 07-28-22-14-0126, to the Housing and Redevelopment Authority of the City of St. Paul, Minnesota, exclusively for the redevelopment as productive taxable property; and Be It Further

RESOLVED, If a net profit is made on the sale of the property, the County respectfully requests consideration by the City of St. Paul of a 40-40-20 split of the proceeds.

PROPERTY RECORDS AND REVENUE – One application to convey a tax forfeited property by use deed, in accordance with the targeted neighborhood requirements, to the Housing and Redevelopment Authority of the City of Saint Paul, MN, a political subdivision

Commissioner Reinhardt introduced the following resolution and moved its adoption, seconded by Commissioner Bennett. Roll Call: Ayes – McDonough, Ortega, Reinhardt, Rettman, Bennett, Carter, Parker – 7. Nays – 0. (2008-134)

WHEREAS, The Housing and Redevelopment Authority of the City of Saint Paul, Minnesota, has submitted one application for conveyance by Use Deed for a parcel of tax-forfeited land from the State of Minnesota; and

WHEREAS, The property is described as follows:

Lot 13, Block 37, Lyman Dayton's Addition  
PIN: 32-29-22-41-0039  
PA: Between 286 and 292 Bates Ave., St. Paul MN 55106  
Commissioner District 5; and

WHEREAS, The Tax Forfeited Lands section has determined that the parcel is located in a targeted neighborhood, as defined in Minnesota Statutes section 469.201, subd. 10, and within an eligible census tract, as defined by City Council Resolution #03-922; and

WHEREAS, The Housing and Redevelopment Authority of the City of St. Paul intends to use the property for the purpose of residential parking and greenspace on vacant blighting property; and

WHEREAS, The Housing and Redevelopment Authority of the City of St. Paul has determined it necessary to obtain the parcel of tax-forfeited land in order to provide for the redevelopment of the land as productive taxable property; and

*(Continued)*

WHEREAS, The Housing and Redevelopment Authority of the City of St. Paul has determined that this need will otherwise not be met by solely relying upon private initiative or redevelopment; and

WHEREAS, This action is in compliance with Minnesota Statutes sections 282.01, subd. 1b(a) & (b); Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners has reviewed the application for conveyance by Use Deed of a parcel of tax-forfeited land located in a targeted neighborhood, and within an eligible census tract; and Be It Further

RESOLVED, The Ramsey County Board of Commissioners hereby approves the application to convey the property located Between 286 and 292 Bates Ave., PIN: 32-29-22-41-0039, to the Housing and Redevelopment Authority of the City of St. Paul, Minnesota, exclusively for the redevelopment as productive taxable property; and Be It Further

RESOLVED, If a net profit is made on the sale of the property, the County respectfully requests consideration by the City of St. Paul of a 40-40-20 split of the proceeds.

PROPERTY RECORDS AND REVENUE – One application to convey a tax forfeited property by use deed, in accordance with the targeted neighborhood requirements, to the Housing and Redevelopment Authority of the City of Saint Paul, MN, a political subdivision

Commissioner Reinhardt introduced the following resolution and moved its adoption, seconded by Commissioner Bennett. Roll Call: Ayes – McDonough, Ortega, Reinhardt, Rettman, Bennett, Carter, Parker – 7. Nays – 0. (2008-135)

WHEREAS, The Housing and Redevelopment Authority of the City of Saint Paul, Minnesota, has submitted one application for conveyance by Use Deed for a parcel of tax-forfeited land from the State of Minnesota; and

WHEREAS, The property is described as follows:

Lot 13, Block 3, Lockwood's Additon to the City of St. Paul.

PIN: 28-29-22-23-0143

PA: Between 824 and 832 Cook Ave. E., St. Paul MN 55106

Commissioner District 6; and

WHEREAS, The Tax Forfeited Lands section has determined that the parcel is located in a targeted neighborhood, as defined in Minnesota Statutes section 469.201, subd. 10, and within an eligible census tract, as defined by City Council Resolution #03-922; and

WHEREAS, The Housing and Redevelopment Authority of the City of St. Paul intends to use the property for the purpose of residential development or convey it to the adjacent residential property owners for green space and off-street parking on vacant blighting property; and

*(Continued)*

WHEREAS, The Housing and Redevelopment Authority of the City of St. Paul has determined it necessary to obtain the parcel of tax-forfeited land in order to provide for the redevelopment of the land as productive taxable property; and

WHEREAS, The Housing and Redevelopment Authority of the City of St. Paul has determined that this need will otherwise not be met by solely relying upon private initiative or redevelopment; and

WHEREAS, This action is in compliance with Minnesota Statutes sections 282.01, subd. 1b(a) & (b); Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners has reviewed the application for conveyance by Use Deed of a parcel of tax-forfeited land located in a targeted neighborhood, and within an eligible census tract; and Be It Further

RESOLVED, The Ramsey County Board of Commissioners hereby approves the application to convey the property located Between 824 and 832 Cook Ave. E., PIN: 28-29-22-23-0143, to the Housing and Redevelopment Authority of the City of St. Paul, Minnesota, exclusively for the redevelopment as productive taxable property; and Be It Further

RESOLVED, If a net profit is made on the sale of the property, the County respectfully requests consideration by the City of St. Paul of a 40-40-20 split of the proceeds.

PROPERTY RECORDS AND REVENUE – One application to convey a tax forfeited property by use deed, in accordance with the targeted neighborhood requirements, to the Housing and Redevelopment Authority of the City of Saint Paul, MN, a political subdivision

Commissioner Reinhardt introduced the following resolution and moved its adoption, seconded by Commissioner Bennett. Roll Call: Ayes – McDonough, Ortega, Reinhardt, Rettman, Bennett, Carter, Parker – 7. Nays – 0. (2008-136)

WHEREAS, The Housing and Redevelopment Authority of the City of Saint Paul, Minnesota, has submitted one application for conveyance by Use Deed for a parcel of tax-forfeited land from the State of Minnesota; and

WHEREAS, The property is described as follows:

Lot 17, Scotten's Subdivision of Block 71 Lyman Dayton's Addition to St. Paul.  
PIN: 33-29-22-31-0091  
PA: West of 1007 Hudson Rd., St. Paul MN 55106  
Commissioner District 6; and

WHEREAS, The Tax Forfeited Lands section has determined that the parcel is located in a targeted neighborhood, as defined in Minnesota Statutes section 469.201, subd. 10, and within an eligible census tract, as defined by City Council Resolution #03-922; and

WHEREAS, The Housing and Redevelopment Authority of the City of St. Paul intends to use the property for the purpose of commercial/business parking on vacant blighting property; and

**(Continued)**

WHEREAS, The Housing and Redevelopment Authority of the City of St. Paul has determined it necessary to obtain the parcel of tax-forfeited land in order to provide for the redevelopment of the land as productive taxable property; and

WHEREAS, The Housing and Redevelopment Authority of the City of St. Paul has determined that this need will otherwise not be met by solely relying upon private initiative or redevelopment; and

WHEREAS, This action is in compliance with Minnesota Statutes sections 282.01, subd. 1b(a) & (b); Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners has reviewed the application for conveyance by Use Deed of a parcel of tax-forfeited land located in a targeted neighborhood, and within an eligible census tract; and Be It Further

RESOLVED, The Ramsey County Board of Commissioners hereby approves the application to convey the property located West of 1007 Hudson Rd., PIN: 33-29-22-31-0091, to the Housing and Redevelopment Authority of the City of St. Paul, Minnesota, exclusively for the redevelopment as productive taxable property; and Be It Further

RESOLVED, If a net profit is made on the sale of the property, the County respectfully requests consideration by the City of St. Paul of a 40-40-20 split of the proceeds.

HUMAN RESOURCES – Authorization of Memorandum of Agreement for night shift differential for a Registered Nurse position at the Law Enforcement Center

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

Commissioner Rettman said she understands the union has signed off on this Memorandum of Agreement (MOA). She asked the last time a job analysis was done on nursing positions to see if they are keeping up with the market differential.

Gail Blackstone, Director, Human Resources, said it is her understanding that we quit regularly have job announcements for a variety of nursing positions.

Commissioner Rettman clarified that she wanted to know if a market analysis has been done to see if the wages are in keeping with the market, and if a job analysis questionnaire has been done. She would like a report on that sometime prior to budget hearings.

Ms. Blackstone said those types of analyses would normally be done when there is a problem with recruitment and retention and also reviews of positions are done when heading into bargaining. All the contracts expire at the end of this year, so we will be looking at where we are in relationship to a variety of positions, and what might be needed. She does not know at this time when a formal review was last done; if the Commissioners would like more detail she would follow up with information to the Board.

Commissioner Rettman asked for that follow-up. She asked if there were several postings right now that are not being filled.

Ms. Blackstone said that on a regular basis there are openings for a variety of positions; some are open on a regular standpoint and others, depending upon the applicants, may or may not need a continual hiring process. It can be challenging to fill a variety of positions, but she doesn't have specifics at this time.

*(Continued)*

Commissioner Rettman said that is the type of information she would like provided to all Commissioners.

Commissioner Reinhardt agreed; she said needing to approve a MOA for this position shows that there is an issue that needed to be rectified. She also would like the information provided.

Ms. Blackstone said this position is a new one, so it is a unique situation.

Roll Call: Ayes – McDonough, Ortega, Reinhardt, Rettman, Bennett, Carter, Parker – 7.  
Nays – 0. (2008-137)

WHEREAS, In December 2007, the Ramsey County Board approved the Public Health Department hiring a night nurse at the LEC; and

WHEREAS, In January 2008, the Public Health and Human Resources Departments recruited for the position; and

WHEREAS, Recruitment efforts were determined to be unsuccessful due to night differential compensation; and

WHEREAS, A \$4.00 per hour differential is determined to be necessary to ensure Ramsey County remains competitive with other employers with comparable positions; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners authorizes the Memorandum of Agreement between Ramsey County and AFSCME Council 5, Local 2599, for a \$4.00 per hour night shift differential for a Registered Nurse position at the Law Enforcement Center.

COMMUNITY CORRECTIONS – Modification of the Adult Services Division Fees for Some Offenders on Diversion

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

Commissioner Rettman said the documentation refers to a decrease in fee revenue in excess of \$13,000 for this year. She asked if levy dollars would make up the differential.

Mr. Twa said it is expected that the Department would find these funds in their existing budget, so there would be no change in the levy for this year or next year.

Commissioner Rettman asked if this would be part of their budget request in future years. As changes are made, this could escalate further. Will this be included in the budget or will it always be internal?

Mr. Twa said much of it depends on the actual numbers. Part of this is to attain more efficiencies so that we don't have to spend so much time on individuals who are at lower risk. In theory, it allows the Department to adjust its schedule to make more time available for others. We hope that it would not require an adjustment, but we will know in the future.

Commissioner Rettman believes this should be monitored so that we know the information. We know that for 2008 it is "whole" and asked if it would also be "whole" for 2009, and no budget adjustment would be needed.

Mr. Twa said it is his belief that it would not require a budget adjustment.

Roll Call: Ayes – McDonough, Ortega, Reinhardt, Rettman, Bennett, Carter, Parker – 7.  
Nays – 0. (2008-138)

*(Continued)*

WHEREAS, On April 22, 2003, by Resolution 2003-136, the Ramsey County Board of Commissioners approved the following fee structure and rate:

- \$200 one-time fee for every case open for probation supervision, supervised release or pre-parole release;
- \$50 one-time fee for every case that has only a single condition monitoring service, such as Community Work Service or Restitution;

and

WHEREAS, On July 25, 2006, by Resolution 2006-266, the Ramsey County Board of Commissioners approved a modification of the fee structure and rate to a one-time fee of \$300 for every case open for probation supervision, supervised release, pre-parole release or a case that has only a single monitoring condition, such as Community Work Service or Restitution; and

WHEREAS, The Bench, Court Administration and Corrections agreed to divert some offenders away from probation, as long as the probation fees were mitigated or set aside; and

WHEREAS, The parties have agreed to reduce the probation fee from \$300 to \$50 for cases where restitution to the victim is the only court ordered condition; and, at sentencing, the Court identifies the victim, establishes the amount of restitution owed, and sets a deadline for payment in full. Corrections' only obligations are to collect the restitution ordered, disburse it to the victim/payee and report to the Court whether or not the offender has paid the restitution as ordered by the deadline; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners approves a modification of the supervision fee to a one-time fee of \$50 for those diversion cases where restitution to the victim is the only court-ordered condition; and, at the time of sentencing, the Court has identified the victim, established the amount of restitution owed and set a deadline for payment in full. This change is effective April 8, 2008.

#### LEGISLATIVE UPDATE

Commissioner McDonough said he had just come from a press conference regarding the Governor's line item veto of several items in the bonding bill, in particular Central Corridor. In a larger picture, almost every transit-oriented project that was moved forward by the Legislature was vetoed. The press conference was amazing in that there were legislators from all over the state, Congresswoman McCollum and Congressman Ellis, Mayor Coleman, Mayor Ryback, representatives from Ramsey County, Hennepin County, people representing trades and labor and business, all truly standing behind Central Corridor and the lack of vision and true confusion on the Governor's part as to why he would line-item veto \$70 million for a project that he originally proposed and gave his support for in his original proposal to the legislature. There are many people who are upset; many say it will "kill" this project. There are communities around the country that are quite happy, because this project has the highest new-start ridership in the country. We have done everything we need to do at the local level to position this project for final design. We have done everything that the Governor has asked us to do to get this project in budget and come behind in agreement to alignment and how this project can be moved forward. It seems like every time we get to a spot where we need to be, the Governor keeps pulling his hand back and saying it is not enough. No one knows what he is expecting now.

*(Continued)*

The original bonding request for this project from Met Council was \$140 million. At the time the Governor recommended \$70 million, he indicated that the other \$70 million could be made available if this project was in-line with the budget and got agreement. That was done. Many things have happened since that time; the counties have imposed a ¼ cent sales tax, which alleviated much of the pressure for bonding dollars for this project; the total request for state bonding dollars would have been \$300 million over the span of this project. At this time we were asking for \$70 million as alternative funding sources had been identified. There would have been a request next year for \$20-30 million. It is extremely disappointing when the Chair of the Met Council, and the entire Met Council, who are all governor appointees, have recommended this project and worked with us at the local level to get this project in position. The September deadline is a real deadline for the FTA. This project must be in line with half of the local dollars committed and identified and must be on budget with clear support of how this project can move forward, in relationship to the federal FTA cost-effectiveness factor. To have one of our partners, who previously indicated his support for this line, pull out now is extremely discouraging and confusing.

The legislators in attendance this morning indicated that they have no appetite to try for an override, nor do they have an appetite to present a second bonding proposal. They feel this is the Governor's responsibility and they expect him to honor his commitment for the state dollars needed to move this project forward.

Commissioner Bennett said the Governor has already signed the bonding bill and has vetoed portions of the bill. He doesn't know how anyone could do anything other than another avenue, because it is done; once his signature is on it, and he signed it with the line item veto, which is legal, it is done. He has basically "killed" light rail; if the legislature is saying they will not take other avenues, then actually the legislature has a problem.

Commissioner McDonough said what was heard from legislators is that they would not propose a second bonding bill. Their expectation is that the Governor would propose the \$70 million to move Central Corridor forward. There is the opportunity for a second bonding bill; the legislators felt quite strongly that it is the Governor's responsibility to honor his commitment and keep his word in funding Central Corridor at the \$70 million request.

Commissioner Ortega said he has received phone calls from several of his constituents who do lobbying. It seems like part of the Governor's intent was that he would accept a second bonding bill if it included some of his projects and something about how the financing would be done.

Terry Speiker, Director, Intergovernmental Relations, said the Governor left a window open that had to do with the "end" resolution, and how financing, in general, might be done, along with the tax bill and bonding. As Commissioner McDonough said, the legislature is not inclined to bring another bonding bill back.

Commissioner Ortega said that from a strictly political perspective, Governor Pawlenty has played the game well. If we are going to wait for the Governor to come back because he has a guilty conscience, we can "go home". He is trying to figure out how we win this game. The Governor has said he would entertain another bonding bill. Assuming we get the financing together in terms of the mechanisms for the state, he asked if the legislature could pass another bonding bill. Another bill would be \$100 million, at most, because that would stay within his targets. Vermillion would have to be put in the bill. He asked if the legislature could pass such a bonding bill.

Commissioner Bennett asked if there is a list of items on the Governor's "want" list, along with their cost factors.

Commissioner Reinhardt agreed that Governor Pawlenty has played this game very well. Many people were shocked that he would veto his own proposal; but he knew exactly what he was doing. She believes it is unfortunate that it is a game that is being played, that has the economic

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and environmental future of this entire state in the balance. She hopes that all the players can come together and figure out a way to save face and move this forward. The stakes have never been higher. It is unfortunate that the citizens of Minnesota and Ramsey County have been put in a position because of a political game.

Joe Bagnoli, with the McGrann Shea Law Firm, agrees that the Governor figured out that the only thing that needs to get done in the bonding bill this year is Central Corridor, so the stakes become very high, and the legislature knows that. The Governor repeatedly told the legislature that he would not accept anything over \$825 million. There were two bonding projects that he wanted in the bill that they would not put in; a nursing facility at the Veterans Home (about \$15 million) and Vermillion State Park (about \$15-16 million).

Nick Riley, Intergovernmental Relations, said \$15-16 million would be a minimum to purchase land for Vermillion State Park, but they also want to put in some infrastructure so it ranged from \$16-40 million.

Commissioner Ortega said the Governor's line item vetoes brought the budget down to \$717 million; his ceiling is \$825 million. If the numbers for his projects were added to the Central Corridor that is the \$100 million that would be in the range he was seeking. He asked if there would be a move by the legislature to come up to that magic number of \$100 million and if there were enough votes around the state, because all the other projects would not get done this year. He doesn't see that the strategy of laying it at the Governor's lap is risky.

Mr. Bagnoli said the bill with Central Corridor in it has already passed both the House and the Senate, which means that people have already voted for that project. Those who should be the most upset are those who had a project cut. In the House, 81 votes are needed to pass a bonding bill; 90 votes are needed to override. In the Senate, 41 votes are needed to pass; 45 to override.

Commissioner Ortega said he is hearing that we could still make this happen. \$100 million would satisfy both sides. The question is whether or not there is political will to come back to the table. He is the Governor; he wants certain things in the bonding bill. We have to play a good game and get what we need for our communities, because it is the process.

Commissioner McDonough said the Governor alluded to the two projects that were not included in the bonding bill, but also made statements to indicate that solving that does not necessarily garner his support, because he made some comments about tying the funding of Central Corridor to resolution on the finance bill that would be acceptable to him.

Mr. Riley said it is no longer just bonding, but is part of other things. In the finance bill, there are some major issues that the Governor does not want to lose, such as the JobZ program and \$20 million in a teacher incentive program. Many things are lost for this session; St. Paul won't get a lot of things; Duluth and the Range lost some things; Minneapolis lost quite a few projects. Unless the Governor increases the size of the bonding bill to about \$850 million some of those other projects won't get funded. The two projects mentioned earlier, plus Central Corridor, consume all the room left under the \$825 million level. All those things will be negotiated.

Commissioner McDonough pointed out that political posturing and strategizing are occurring from both the legislature and the Governor. Clearly, there is a commitment at the local level; the cities and counties will continue to push this project so that by the first week of September we have a proposal that Met Council can move forward with, and will be acceptable to the MTA. There are many things that will occur between now and the time that proposal needs to be submitted.

Ms. Speiker said there is support from all the members of the Ramsey County delegation on this issue and they are prepared to work hard to see that this project moves forward. We believe

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the issue of what happens with health care reform will also fit into this mix. There are a number of things for staff to work on within the Board's legislative package, and Central Corridor is a key piece.

Mr. Riley said the tracking sheet was updated and distributed to Commissioners. This list will be expanded as issues come up.

Mr. Speiker said Commissioner Carter asked staff to list bills having to do with mortgage foreclosures. Staff is following those and will be reporting back on them. Commissioner Reinhardt had asked to have the solid waste proposals added to the list.

Commissioner Ortega asked about the bills pertaining to Targeted Case Management and child support.

Claudia Brewington, Intergovernmental Relations, said neither bill received permanent funding. One time funding was received last year that will carry through the current fiscal year for Targeted Case Management and to fill the hole in the child support administrative collection system. We were not successful in getting permanent funding for either of those items. Language is in the House version of the omnibus budget bill that calls for the Department of Human Services to convene a work group that would include counties, the state, advocacy groups and others, to look at the impact on county budgets and the services that are delivered to people served through these programs. The price tag is so large that in this environment; we lost at least \$60 million statewide in Targeted Case Management funding; we received \$32.7 million last year to fill that hole one time. On the child support issue, we lost \$8 million, but because of the way it is matched, we have a \$24 million hole statewide.

Commissioner Ortega said we could assume those are gone for this session. He assumes work is being done on the implications that has on the County's budget.

Mr. Twa said that as it relates to the Targeted Case Management, because the Board also put levy dollars in, we are okay for 2008 and 2009. There will probably be a hole as it relates to the child support area in 2009.

Commissioner Reinhardt said the Board also put levy money into child support. She asked if that was not enough to cover 2009.

Mr. Twa responded affirmatively and said there will be a shortfall for 2009; he does not yet have that number.

Commissioner Carter asked what is happening at the federal level on these issues.

Ms. Brewington said there are number of bills at the federal level in Targeted Case Management to freeze those cuts, so they would not take place immediately. Those bills have been scheduled for a hearing; the language was amended into a larger health care bill, but then ran into some problems. We were not able to get that moved forward. Regarding child support, there is also a bill to do something to restore that, but it is an up and down process. At this point, things are alive but there is nothing that would give an indication of great hope. There is one measure that was put into a Department of Human Services (DHS) bill at the state level that would require the DHS to seek a waiver to allow us to include the individuals that we serve that have developmental disabilities that are on waivers, in Targeted Case Management. That would extend it into a different area and would draw down a considerable amount of federal funding, and it another way of addressing some of the shortfalls. To get that waiver takes at least a year, so it would give any immediate relief at the county level.

Commissioner Rettman spoke of the MA rates; we need to continue to monitor that issue on the federal level because it does have some county implications for this year. The implementation could be as early as June.

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Ms. Speiker said staff has been following that issue. She will ask federal lobbyists to provide a written update on this issue next week. Staff is also working on an update on federal housing proposals.

#### BOARD CHAIR UPDATE

Chair Parker announced that Commissioner McDonough received a 2008 AWARE Award for his willingness to take risks and transform systems in order to make the issue of sexual violence a top agenda item in Ramsey County. There were four other award winners; these were from the Minnesota Coalition Against Sexual Assault.

#### OUTSIDE BOARD AND COMMITTEE REPORTS

Commissioner Reinhardt reported that:

- On behalf of the Solid Waste Management Coordinating Board, she continues to do a great deal of work on waste paint. This was taken up yesterday, and the language was adopted on the Senate floor. Some tweaking remains to be done between retailers and the manufacturers, but that language should be dealt with in the next day or so, and will be incorporated into the House language. She is hopeful they will come to an agreement so that a huge environmental and economic difference can be made to our waste management system when it comes to paint.
- She attended the AMC Board of Directors meeting; the biggest issue is what is happening at the Legislature. The Legislative meetings of the AMC begin tomorrow. There was also discussion regarding the National Association of Counties election process and trying to make some true reforms so that it doesn't end up costing so much money and that quality people move forward in the ranks.
- She attended the AFSCME Day on the Hill event. This year it was expanded to a two-day event. Over 800 people talked about labor issues to our legislators. This is not just about the people who are doing the work, but the work they are doing, and the impact it has in many cases to the most vulnerable in our society.
- She attended the *Lending a Hand...The Wakanheza Project* event at Landmark Center.

Commissioner Rettman reported that:

- She serves on the Como Zoo and Conservatory Board, and the polar bears had been sent to another zoo in preparation for the building of a new polar bear exhibit, which was part of the Governor's line item veto. Como Park continues to be a wonderful attraction that is free and open to all people. They are continuing to do fundraising, but those vetoes put things in jeopardy.
- The veto of a new Bell Museum hurts Falcon Heights.
- She attended a meeting of the Suburban Collaborative. The time share dollars were discussed; there was already a plan of how much had to be paid back and how they would work on what they had to pay back on this study. That was done with class and dignity and as much respect as possible. It doesn't mean they are happy about the situation, but they came to the table and worked very hard on it.
- On behalf of the other Commissioners who sit on the Community Action Partnership, she distributed brochures on how to prepare for various emergencies; these brochures are being printed in Somali, Hmong, Spanish and English.

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Commissioner Carter reported that:

- She and Commissioner Reinhardt attended a Juvenile Detention Alternatives Initiative (JDAI) stakeholder meeting. They are moving forward with information data that has come from the implementation of the new risk assessment instrument. This instrument is now being used to determine which juveniles are either at risk of either re-offending on a detainable offense, thereby presenting a public safety concern, or may not show up for their detention hearing. Since implementation in January, we have data available from January through March 7<sup>th</sup> and were able to complete 177 risk assessment instruments for those juveniles who have been brought to our detention center; there were actually 374 juveniles brought in during that time period, but only 177 were new offenses. We are implementing the risk assessment instruments today for those new offenses. We are finding that we are having juveniles score between 0-9, which, according to the new instrument says they should be released, not detained. Individual scores between 10-14 suggest they could be released because of the danger of detention on non-egregious offenses. We have juveniles scoring 15 or more, which means that they should be held. There are some that are automatic holds. We are finding that those that score 0-9 where they are being recommended for release, we are only able to release 52% of them; because of our new implementation we are holding 48%. For those for whom the alternatives would be assessed better, we are detaining 98%. This is where our opportunity is, as we trust our risk assessment instrument and validate that is it appropriately assessing those who should be released or should be detained. In particular, in those areas where their scoring is 0-9, and in the areas where they are scoring 10-14, as we ensure that the alternatives are available, we can change that data, instead of detaining 69% of those who score 0-14 and could be released either outright or to alternatives. Our goal is that we would have a 17% override rate, which means we would be detaining those for various reasons such as safety of the individual. We are moving in the right direction and have the right people at the table. This past week we had Commissioner Reinhardt, Councilmember Carter, and Michelle Walker, the accountability officer from the St. Paul Public Schools. The sharing of data and information is moving us along. We are finding that a large majority of those who are being overridden, or held, are being overridden in the category of 'young people of color'. That focuses us again on our disproportionate minority confinement committee, which is being implemented and meeting for the first time next week.

Commissioner Reinhardt said they were given a great deal of valuable information. It would be a good idea to provide that information to all Commissioners. Judge Bastian was excited about the fact that for a long time we were zeroing in on the alternatives side of JDAI and now really looking at the communication and engagement of the community in making this work, because the risk assessment inventory tool is now available. There is a lot of progress being made and is good information.

Commissioner Carter said she would make certain everyone receives a copy of that information.

Chair Parker reported that:

- Last Tuesday *Lending a Hand...The Wakanheza Project* was held at Landmark Center where a preview of a movie was shown. This movie will be televised on Channel 17 on April 17<sup>th</sup> beginning at 8:30 p.m. This movie will help spread the word about the concept of Wakanheza and violence prevention in our community.

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- She and Commissioner Bennett attended the DWI Court graduation last week. It was a moving process; this 18-month process means a great deal to the people who are going through it.
- Roseville City Councilmember Tom Kough passed away; a ceremony of life took place last week.

Commissioner Bennett reported that:

- The DWI Court takes people who are at least third time offenders; some people were as many as 7 offenses. The Judge holds quite a hammer when sentencing. This is a very good system.

ADJOURNMENT

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Bonnie C. Jackelen, Chief Clerk – County Board