

The Ramsey County Board of Commissioners met in regular session with the following members present: Bennett, Carter, McDonough, 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 Reinhardt moved approval of the Agenda of the April 22, 2008 Board Meeting, seconded by Commissioner Carter. Roll Call: Ayes – Reinhardt, Rettman, Bennett, Carter, McDonough, Ortega, Parker – 7. Nays – 0.

MINUTES

Commissioner Reinhardt moved approval of the Minutes of the April 15, 2008 Board Meeting, seconded by Commissioner Carter. Roll Call: Ayes – Reinhardt, Rettman, Bennett, Carter, McDonough, Ortega, Parker – 7. Nays – 0.

PROPERTY RECORDS AND REVENUE – Issuance of a new Intoxicating Liquor License for Zen Asia Restaurant, located in the Town of White Bear

Commissioner Reinhardt introduced the following resolution and moved its adoption, seconded by Commissioner McDonough. Roll Call: Ayes – Reinhardt, Rettman, Bennett, Carter, McDonough, Ortega, Parker – 7. Nays – 0. (2008-146)

WHEREAS, Ramsey County is the issuing authority for On-Sale intoxicating Liquor Licenses for Monday through Saturday and On-Sale Intoxicating Liquor Licenses for Sunday Only for towns and other unincorporated areas within Ramsey County, pursuant to Minnesota Statutes, section 340A.404, subd 6; and

WHEREAS, Ramsey County has received an application to issue a new On-Sale Intoxicating Liquor License and On-Sale Intoxicating Liquor License for Sunday Only, effective for 2008, to Zen Asia Restaurant, 1011 Meadowlands Drive, Suite 8, located in the Town of White Bear; and

WHEREAS, The Town of White Bear has approved the issuance of the license and has made findings as to the character and reputation of the applicant, and nature and location of the business; and

WHEREAS, The Ramsey County Sheriff's Office and the Ramsey County Attorney's Office has reviewed the application and supporting documentation and find that the applicant is eligible to be licensed; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners hereby approves the issuance of a 2008 On-Sale Intoxicating Liquor License for Monday through Saturday and On-Sale Intoxicating Liquor License for Sunday Only to Zen Asia Restaurant, 1011 Meadowlands Drive, Suite 8, White Bear Township; and Be It Further

(Continued)

RESOLVED, Ramsey County Property Records and Revenue shall notify the State Liquor Control Division that Ramsey County has approved the license for Zen Asia Restaurant; and Be It Further

RESOLVED, If the State Liquor Control Division approves the On-Sale Intoxicating Liquor License, Ramsey County Property Records and Revenue will issue the On-Sale Intoxicating Liquor License for Monday through Saturday and On-Sale Intoxicating Liquor License for Sunday Only, effective for 2008.

BOARD OF RAMSEY COUNTY COMMISSIONERS – Nominees to the Chairpersonship of the National Association of Counties (NACo) Committees

Commissioner Reinhardt introduced the following resolution and moved its adoption, seconded by Commissioner McDonough. Roll Call: Ayes – Reinhardt, Rettman, Bennett, Carter, McDonough, Ortega, Parker – 7. Nays – 0. (2008-147)

WHEREAS, The National Association of Counties (NACo) is seeking applications for leadership positions to NACo Steering Committees; and

WHEREAS, Applicants to the Committee positions are being solicited from elected officials of member counties; and

WHEREAS, Commissioner Victoria Reinhardt is submitting an application for the Chairpersonship of the Environment, Energy and Land Use Steering Committee; and

WHEREAS, Commissioner Victoria Reinhardt has a strong educational and work-related background in environmental issues, including serving as Chair of the Recycling Association of Minnesota and Co-Chair of America Recycles Day in Minnesota; and

WHEREAS, Commissioner Reinhardt currently serves as Vice-Chair of the Environment and Natural Resource Committee and Chair of the Solid Waste Advisory Committee of the Association of Minnesota Counties (AMC), Vice-Chair of the Ramsey/Washington Resource Recovery Board, Treasurer of the Solid Waste Management Coordinating Board (SWMCB), as Chair of NACo's Air Quality Sub-Committee and a member of NACo's Environment, Energy and Land Use Committee, Solid and Hazardous Waste Sub-Committee, and NACo's IT Committee; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners hereby supports the candidacy of Commissioner Victoria Reinhardt to the Chairpersonship of the Environment, Energy and Land Use Steering Committee of the National Association of Counties.

LEADERSHIP QUALITIES:

Commissioner Reinhardt:

- Serves as:
 - Chair of the Association of Minnesota Counties Solid Waste Advisory Committee
 - Chair of the MetroGIS Policy Board
 - Chair of the Ramsey County Budget Committee
 - Chair of the Rush Line Corridor Task Force
 - Chair of the National Association of Counties Air Quality Sub-Committee
 - Vice-Chair of the Ramsey County Legislative Committee

(Continued)

- Vice-Chair of the Ramsey County Public Safety & Justice Committee
- Vice-Chair of the Ramsey County Public Works, Parks and Solid Waste Committee
- Vice-Chair of the Association of Minnesota Counties Environment and Natural Resources Committee
- Vice-Chair of the Ramsey/Washington Resource Recovery Project Board
- Vice-Chair of the Association of Minnesota Counties Extension Committee
- Treasurer of the Solid Waste Management Coordinating Board
- Member of the Association of Minnesota Counties Board of Directors, Legislative Steering Committee, and other special task force appointments by the Chair
- Member of the National Association of Counties Environment, Energy and Land Use Steering Committee, Solid and Hazardous Waste Sub-Committee, and the IT Steering Committee

- Serves on the following Ramsey County Committees:
 - County Facilities Committee
 - Human Services/Workforce Solutions Committee
 - Ramsey County Regional Railroad Authority
 - Ramsey County Housing and Redevelopment Authority

- Serves on the following Boards, Committees and Commissions:
 - Ramsey/Washington Community Action Partnership
 - Joint Property Tax Advisory Committee
 - Juvenile Detention Alternatives Initiative
 - Ramsey/Washington Resource Recovery Project Board Executive Committee
 - St. Paul Children's Collaborative
 - Association of Minnesota Counties District X
 - Association of Minnesota Counties District X Executive Committee (alternate)
 - Minnesota River Basin Joint Powers Board
 - Ramsey County Extension Committee
 - Ramsey County League of Local Governments
 - Governor's Council on Geographic Information
 - MN Electronic Real Estate Recording Task Force
 - Paint Product Stewardship Initiative
 - MN Waste Pesticide Task Force
 - 800 MHz Subsystem Policy Committee – alternate
 - MetroGIS Policy Board
 - Metropolitan Energy Policy Coalition
 - Association of Minnesota Counties Legislative Steering Committee

and Be It Further

RESOLVED, Due to her extensive experience in and commitment to issues surrounding the environment, energy and land use, Commissioner Victoria Reinhardt is an excellent candidate for the Chairpersonship of the Environment, Energy and Land Use Steering Committee of the National Association of Counties.

BOARD OF RAMSEY COUNTY COMMISSIONERS – Nominees to the Chairpersonship of the National Association of Counties (NACo) Committees

(Continued)

Commissioner Reinhardt introduced the following resolution and moved its adoption, seconded by Commissioner McDonough. Roll Call: Ayes – Reinhardt, Rettman, Bennett, Carter, McDonough, Ortega, Parker – 7. Nays – 0. (2008-148)

WHEREAS, The National Association of Counties (NACo) is seeking applications for leadership positions to NACo Steering Committees; and

WHEREAS, Applicants to the Committee positions are being solicited from elected officials of member counties; and

WHEREAS, Commissioner Tony Bennett, Chair of the Ramsey County Board of Commissioners, is submitting an application for the Chairpersonship of the Justice & Public Safety Steering Committee; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners hereby supports the candidacy of Commissioner Tony Bennett to the Chairpersonship of the Justice & Public Safety Steering Committee of the National Association of Counties.

Commissioner Bennett:

- Has served as Ramsey County Commissioner since 1997
- Is a life-long resident of Ramsey County, Minnesota
- Has over 30 years of legislative and law enforcement experience
- Is a 26-year veteran of the St. Paul Police Department
- After being confirmed by the U.S. Senate, was appointed by the President of the United States as the United States Marshall for the District of Minnesota
- Attended the University of Minnesota and College of St. Thomas

Formerly Served as:

- Chair of the Ramsey County Board of Commissioners
- Chair of the Ramsey County Facilities Committee of the Whole
- Chair of the Ramsey County Budget Committee

Serves on the following Ramsey County Committees

- Budget Committee of the Whole
- Finance, Personnel and Management Committee
- Legislative Committee of the Whole
- Public Works, Parks & Solid Waste Committee
- County Facilities Committee
- Public Safety & Justice Committee
- Regional Railroad Authority
- Housing & Redevelopment Authority

Serves on the following Boards, Committees and Commissions:

- National Association of Counties Justice & Public Safety Steering Committee, Vice-Chair
- Association of Minnesota Counties – District X
- Association of Minnesota Counties Criminal Justice Policy Committee
- Ramsey County Board/Bench Committee

(Continued)

- Ramsey County Court House/City of St. Paul City Hall Committee
- I-35W Corridor Committee
- Metropolitan Emergency Services Board
- Metropolitan Emergency Services Executive Board
- Ramsey County Library Board of Trustees, alternate
- Metropolitan Mosquito Control District Board
- Willow Lake Nature Preserve
- NACo Membership Committee
- AMC Board of Directors
- Corrections Management Committee
- LOCATE
- Minnesota Landmarks
- Ramsey County League of Local Governments, alternate
- 800 MHz Subsystem Policy Committee
- Metropolitan Transportation Advisory Board
- Republican National Committee

COUNTY MANAGER/BUDGETING & ACCOUNTING – Monthly Report of Contracts and final payments and grant submissions that were approved during the month of March 2008

Commissioner Reinhardt introduced the following resolution and moved its adoption, seconded by Commissioner McDonough. Roll Call: Ayes – Reinhardt, Rettman, Bennett, Carter, McDonough, Ortega, Parker – 7. Nays – 0. (2008-149)

WHEREAS, Administrative Code 3.40.37 authorizes the County Manager to approve contracts, within certain limits; and

WHEREAS, Administrative Code 4.30.50a requires a monthly report on all contracts and final payments approved by the County Manager; and

WHEREAS, Administrative Code 4.30.39d requires the County Manager to report grant submissions, amendments, renewals, and acceptances along with the monthly contract report; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners hereby accepts the Report of Contracts and Final Payments and Grants for the month of March 2008.

PUBLIC WORKS – Construction Status Report for the period January 1, 2008 through March 31, 2008

Commissioner Reinhardt introduced the following resolution and moved its adoption, seconded by Commissioner McDonough. Roll Call: Ayes – Reinhardt, Rettman, Bennett, Carter, McDonough, Ortega, Parker – 7. Nays – 0. (2008-150)

WHEREAS, County Board Resolution 91-061 requires the Public Works Department to submit periodic reports on the financial status of each project and any modifications that have been authorized within the limits set by County Board Resolution 2001-93; and

(Continued)

WHEREAS, The contract modifications include items such as cost quantity changes, change orders, and supplemental agreements; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners accepts the Construction Status Report for January 1, 2008 through March 31, 2008.

COUNTY MANAGER AND PROPERTY MANAGEMENT – Interim Moves from Ramsey County Riverfront Properties – Project Budgets, Project Schedules and Financing Plans

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

Commissioner Rettman said the questions she had asked at the County Facilities Committee are reflected in the minutes from that meeting. She said that Jolly Mangine, Director, Property Management, had responded to one of the questions and had provided written information to Commissioner Rettman (on file with the Chief Clerk's Office), which stated that the County Attorney's Office would not have a net rentable square foot reduction, but the relocation of Public Health, Emergency Management and Homeland Security would show a reduction.

Commissioner Rettman said Julie Kleinschmidt, Director, Budgeting and Accounting, is working on the response to the other questions. Commissioner Rettman requested that the response be in written form and provided to all the Commissioners. One of her questions was how much money is left in the fund balance from the Public Health Department merger between the City of St. Paul and Ramsey County. If the information is not provided in writing, she would request a reconsideration of this matter at the next meeting.

Roll Call: Ayes – Reinhardt, Rettman, Bennett, Carter, McDonough, Ortega, Parker – 7.
Nays – 0. (2008-151)

WHEREAS, On April 1, 2008, the Ramsey County Board approved the relocation of Public Health Administration, Emergency Management and Homeland Security, and Veterans Services to the 90 West Plato Facility, and the relocation of a small number of staff from the Prosecution Division of the County Attorney's Office into 2,600 square feet of unfinished space in the Law Enforcement Center ("Relocation Projects"); and

WHEREAS, The Ramsey County Board also directed the County Manager and the Director of Property Management to return to the Ramsey County Board for approval of project budgets, schedules, and financing plans for these Relocations Projects; and

WHEREAS, The County Manager and Property Management are requesting Board approval of the following budgets, schedules, and financing plans for the Relocation Projects:

Relocation to 90 West Plato Facility:

Budget: \$2,100,000

Schedule: Completion Date – February 1, 2009

Financing Plan: Saint Paul Public Health Joint Powers Agreement Fund Balance

Relocation to LEC:

Budget: \$282,250

Schedule: Completion Date – August 1, 2008

Financing Plan: 2005 County Attorney's Office Reserves; and

(Continued)

WHEREAS, In order to ensure timely completion of the Relocation Projects, Property Management is requesting authorization for the County Manager to execute all contracts and agreements, within the budgets, related to the Relocation Projects; Now, Therefore, Be It

RESOLVED, That the Ramsey County Board of Commissioners hereby accepts and approves a project budget of \$2,100,000, a project schedule with a completion date of February 1, 2009, and a financing plan of \$2,100,000 from Saint Paul Public Health Joint Powers Agreement Fund Balance for the relocation of Public Health Administration, Emergency Management and Homeland Security, and Veterans Services to the 90 West Plato Facility; and Be It Further

RESOLVED, That the Ramsey County Board of Commissioners hereby accepts and approves a project budget of \$282,250, a project schedule with a completion date of August 1, 2008, and financing plan of \$282,250 from 2005 County Attorney's Office Reserves for the relocation of a small number of staff from the Prosecution Division of the County Attorney's Office into 2,600 square feet of unfinished space in the Law Enforcement Center; and Be It Further

RESOLVED, That the Ramsey County Board of Commissioners hereby authorizes the County Manager to make all necessary payments and budget adjustments, and execute all contracts and agreements, including a change order to the Kraus Anderson contract for the 90 West Plato Boulevard Remodeling Project, within the project budget for the relocation of Public Health Administration, Emergency Management and Homeland Security, and Veterans Services to the 90 West Plato Facility; and Be It Further

RESOLVED, That the Ramsey County Board of Commissioners hereby authorizes the County Manager to make all necessary payments and budget adjustments, and execute all contracts and agreements, within the project budget for the relocation of a small number of staff from the Prosecution Division of the County Attorney's Office into 2,600 square feet of unfinished space in the Law Enforcement Center; and Be It Further

RESOLVED, That the Ramsey County Board of Commissioners hereby authorizes the County Manager to make all necessary adjustments to department 2008 and 2009 budgets as needed for the Relocation Projects.

COUNTY MANAGER – National Volunteer Week

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

Chair Parker said Mary Capuzzi, Volunteer Services, Community Human Services, and members of the Volunteer Program Network were present. This is very important, and bears highlighting it publicly. Volunteerism within the County is something we are all very proud of. This action declares the week of April 27-May 3, 2008, as Volunteer Week in Ramsey County.

Ms. Capuzzi thanked the County Board for acknowledging the contributions of volunteers throughout Ramsey County. The comparison of Ramsey County's volunteer hours of service from 2006 to 2007 indicates a significant increase of more than 14,000 hours. That is attributed to an increase in community involvement; lots of schools are involving students in community activities and service learning. They may also be better at maintaining records in striving to improve the system.

Chair Parker cited the comparison with Hennepin County. She said it would be helpful to have a centralized focal point for volunteers.

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Ms. Capuzzi explained that in Ramsey County, there is a decentralized system, with each department choosing whether or not to have a volunteer program. Those that do, operate independent of each other. The staff that comprise the Volunteer Program Network are involved in coordinating those programs. Each department has its own application and screening process, and separate contact numbers.

Chair Parker asked if background checks are conducted.

Ms. Capuzzi responded affirmatively, but she is not certain that is applied uniformly across the County.

Chair Parker said with baby boomers getting into the retirement age, the increase in volunteer hours is not an anomaly; more people will be looking for worthwhile ways to use their time. She would like to look at what it would cost, and how it would be organized if a way could be found to centralize the information.

Commissioner Rettman said right now, there many issues facing Ramsey County, from targeted case management to loss of federal dollars. She did not know where we would find the staff time to apply to this.

Commissioner Reinhardt said this is about making it user-friendly for people to get information. She suggested links on the County's website to show the different opportunities available.

Ms. Capuzzi said there is a centralized web page that directs users to individual departments.

Commissioner McDonough said he has been on the website and that it is good.

David Twa, County Manager, said staff has looked at this in the past as it relates both to volunteers and to the intern program, and found that both programs are scattered throughout the departments. In talking with central management staff as well as the Human Resources Department, it is clear that could not be done without adding a position. If there is interest from the Board in pursuing that, it could be brought back as part of a budget discussion for 2009, but it would require additional staff.

Chair Parker concurred that it could be discussed as part of the budget process.

Roll Call: Ayes – Reinhardt, Rettman, Bennett, Carter, McDonough, Ortega, Parker – 7.
Nays – 0. (2008-152)

WHEREAS, April 27– May 3, 2008, has been named National Volunteer Week; and

WHEREAS, The Ramsey County Board of Commissioners realizes the significant role that volunteers play in providing services to citizens and saving tax dollars, and appreciates the work that volunteers provide; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners hereby declares the week of April 27– May 3, 2008, as Volunteer Week in Ramsey County; and Be It Further

RESOLVED, The Ramsey County Board of Commissioners hereby thanks all its volunteers for the vital role they play in providing services to Ramsey County citizens; and Be It Further

RESOLVED, The Ramsey County Board of Commissioners hereby accepts the report on volunteer activity within Ramsey County government, as prepared by the Volunteer Program Network.

(Continued)

PUBLIC WORKS – Project Labor Agreement for Century Avenue Reconstruction Project

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

Commissioner Rettman said she was angered when reading through the materials. Was a legal opinion obtained from the County Attorney's Office on this matter? The issue is that the County contacted the Federal Aid and Highway Administration about the use of a Project Labor Agreement (PLA) on the Century Avenue reconstruction project. The federal group provided Public Works with the current executive order from the President that says if we were to utilize a PLA, which is fair living wages and benefits as part of this project, approximately \$3,279,000 federal dollars would be lost. Is that true?

Darwin Lookingbill, Director, Civil Division, County Attorney's Office, said he looked at this, but not recently.

David Twa, County Manager, said he understands the reason other than the current administration, is the fact that there are other standards that apply to federal projects in terms of wages and benefits, which may have something to do with it.

Commissioner Rettman asked if there is state legislation requesting that a percentage of our dollars coming from the federal government go to these types of programs? The County has been using PLAs. They are saying because this project deals with federal highway funds, we could not use a PLA. Would that also apply to Central Corridor because those are federal dollars? What about the ability of living wages, etc? The County has done a stellar job on the apprenticeship program.

Commissioner Rettman requested that a legal opinion be provided for what could be done on this, as well as a legal opinion from staff in Washington.

Commissioner Reinhardt said she was also outraged when reading through this documentation. She did not believe we would get an answer other than "it is the executive order", and the executive order is very clear. There is no ambiguity; it says: "you cannot have a Project Labor Agreement if federal funds are involved." Information is needed as far as Central Corridor and a number of other projects – is it very specific federal dollars, or all federal dollars? She understands the prohibition, but prevailing wage and the apprenticeship programs and other things are still in place. The County would get some protections, but not even having a PLA as an option is what she found outrageous. The County must continue to be diligent as far as prevailing wages and other things the County has done to ensure a living wage and good benefits to anybody who works on a project funded by Ramsey County, that those are diligently followed, even if the PLA isn't an option.

Ken Haider, Director, Public Works, said all the Equal Employment Opportunity (EEO) and Disadvantaged Business Enterprises (DBE) requirements are all still in place, which are determined by Ramsey County. Under state requirements in every specification, there are prevailing wage requirements and contract reporting requirements, so there are many safeguards. Public Works staff is not sure why they received a recommendation to use a PLA, because in the past, they have come back not recommending one. He shares the concerns of the Commissioners when talking about Central Corridor and other projects. This is an oddball because they have never had anyone recommend a PLA for a Public Works project in the past. It is not part of the industry; they typically don't do it.

Commissioner Ortega said over the last three years, he has met with Harry Melander with Labor, regarding Central Corridor, as well as with Congresswoman McCollum's staff, and discussed this issue. What happens if this project cannot go ahead without the County moving forward at this point, or is there time?

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Mr. Haider said there is not a lot of time, as the Department is trying to get this done this season; a contract would need to be let very soon. The federal funds are an integral part of financing this project; Washington County, and the Cities of Woodbury and Maplewood are partners on the project. The money has to be made up somehow if it does not come from the federal government.

Commissioner Reinhardt said the County would lose over \$3 million if we don't go forward with this request. Hearing that a PLA has never been done before within Public Works troubles her. These types of requests have been sent to our partners in the Labor industry, and a variety of folks asking for an opinion on whether or not a PLA should be utilized. In a case like this where federal money is involved, sending that letter out is disingenuous if we can't allow the use of one, and Labor recommends one. It doesn't make a lot of sense to ask on projects where it can't be done. The more troubling part is the fact that just because it has not been before – there are County projects that don't involve federal funding and it would not apply to that – we are asking people if they want a PLA. The fact they have never said yes until this point doesn't mean we shouldn't be asking. We should be open to doing a PLA if they come back on another project that does not have federal funds involved. Otherwise, we have a hollow policy.

Commissioner McDonough said this request should move forward. He would like to have the County Attorney's Office look at the federal executive order to see where the County stands as to PLAs with federal road dollars. It would be helpful to have a conversation with the St. Paul Building Trades who actually requested the PLA this time. We need to find out why they thought this road project was different and where they are going as to road projects and PLAs, and have the conversation with them about the federal executive order and let them know the County is researching that issue. He agreed that if our hands are tied and we can't issue PLAs, we shouldn't be issuing requests for response. There is an expectation that a response would be considered, and there would be no consideration if we were prohibited from using one. He would like to see those two things attached to the resolution – to move forward, and request a report back from the County Attorney's Office and the conversation with St. Paul Building Trades.

The maker and seconder accepted the amendment as friendly.

Commissioner Ortega agreed that the conversation should be held with the Trades and Labor industry to figure out what the motive is, why are we moving down this road. Not that our policy is hollow, but if it comes to federal dollars and it can't be done, then we should know exactly what our limits are.

Commissioner Bennett asked if we should find out what federal contracts require it, that a lot of what is in federal law is also in our labor agreements – what is different?

Mr. Haider said the County requires DBE and EEO through the Purchasing Office. When talking about state funding, which is virtually every County project, there is a whole section in the specs about prevailing wage and benefits, etc. There is some overlap, and you have to wind through to meet everybody's requirements.

Commissioner Ortega agreed that the County Attorney's Office should provide a comparison; they are apples and oranges. It is confusing with the state and federal guidelines. With Central Corridor, there are federal guidelines and state guidelines, and they don't overlap. We need a better understanding of all of this.

Chair Parker clarified that the motion is to approve this action but asking for information to come back.

Commissioner Rettman said she is glad everyone is on the same page about receiving information. However, she doesn't want the policy to change until after the Board has had a discussion; the department should continue sending out the requests for response. The purpose is laudable and enforceable.

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Commissioner Rettman requested the maker and seconder of the motion to delete all the references in the resolution from line 32 through 49 and 57 and 58. Otherwise, It would put the County on record that we have acquiesced. In most others, since adoption of the policy, we have always had the reiteration on who responded, who did not respond. We still have that.

The maker and seconder of the motion accepted Commissioner Rettman's additional amendment.

Commissioner Carter agreed that this establishes new precedent and new policy, and until having the discussion, to leave that out of the resolution.

Commissioner Reinhardt said she had a concern about taking out the 'Whereas' clause that states that the President has signed the executive order; all the rest should come out. The reason she has a problem removing that one is that it then looks like we said we would not require a PLA even though the St. Paul Building and Construction Trades recommended it. We are not requiring a PLA because of the President; that clause should remain in the resolution.

The maker and seconder agreed to Commissioner Reinhardt's suggested amendment.

Chair Parker clarified that the motion is to delete lines 37 through 49 and 57 and 58.

Commissioner Reinhardt asked if a separate motion is needed regarding the requested information to come back to the Board, or is that included?

Chair Parker said it was included; the County Attorney and Public Works staff will return to the Board with requested information.

Roll Call: Ayes – Reinhardt, Bennett, Carter, McDonough, Ortega, Parker – 6. Nays – Rettman – 1. (2008-153)

WHEREAS, By Resolution 2002-351, the Ramsey County Board adopted a policy regarding the use of Project Labor Agreements; and

WHEREAS, On April 26, 2005, the Ramsey County Board affirmed the policy regarding the use of Project Labor Agreements; and

WHEREAS, The policy requires a department to request input from parties likely to be interested in the project regarding use of Project Labor Agreements; and

WHEREAS, Century Avenue from Lake Road to Brookview Drive SAP 62-672-05, 82-625-03 & 82-616-20 (Century Avenue Reconstruction Project) is a construction project in the 2007-2011 Transportation Improvement Program to be constructed starting in 2008; and

WHEREAS, The Public Works Department solicited recommendations on the use of a Project Labor Agreement for the Century Avenue Reconstruction project in accordance with the policy; and

WHEREAS, Ramsey County Public Works received two responses from the Saint Paul Building and Construction Trades Council and the Associated Builders and Contractors, Inc. and

WHEREAS, The response from the Saint Paul Building and Construction Trades Council recommended use of a Project Labor Agreement and stated as reasons: "Multiple crafts; contract negotiations; time sensitive; dollar amount; environmental issues"; and

(Continued)

WHEREAS, The response from the Associated Builders and Contractors, Inc. recommended not using a Project Labor Agreement and stated as reasons: “There are numerous contractors available to complete this project that cannot participate in bidding if required to sign a PLA. The increased costs of double benefits, increased supervision needed to maintain union relations, and enforcement of union division of labor would be prohibitive”; and

WHEREAS, On February 17, 2001, President George W. Bush signed Executive Order 13202 titled “Preservation of Open Competition and Government Neutrality Towards Government Contractors’ Labor Relations on Federal and Federally Funded Construction Projects.” This Executive Order prohibits owners from requiring Project Labor Agreements on Federally assisted construction projects; and

WHEREAS, The Ramsey County Board of Commissioners has taken all of the project factors and recommendations into account; Now, Therefore, Be It

RESOLVED, The Ramsey County Public Works Department shall not include a requirement for a Project Labor Agreement for the Century Avenue Reconstruction Project; and Be It Further

RESOLVED, The Board directs Public Works staff to return to the Board following a discussion with people from the St. Paul Building Trades, and staff from the County Attorney’s Office to return to the Board with an opinion regarding the federal executive order.

INFORMATION SERVICES – Distribution of 2008 Technology Application Systems Appropriation and Appropriation in the Technology Application Systems Contingency Account

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

Commissioner Rettman said Mary Mahoney, Director, Information Services, had provided details on the Technology Application Systems. She requested that Ms. Mahoney send an update to the Commissioners about the original amount, and how much has been backed-out. Apparently, some stewardship has been done; some of the projects came in higher and at a certain level; and, what is the implementation for future years. She referenced the Café system in Human Services and the original concept for Community Corrections. It would be good to have an update because technology is constantly changing.

Commissioner Reinhardt agreed that an update is needed.

Roll Call: Ayes – Reinhardt, Rettman, Bennett, Carter, McDonough, Ortega, Parker – 7.
Nays – 0. (2008-154)

WHEREAS, In 2005, the County Board of Commissioners began a systematic process of making appropriations for Technology Applications Systems as a mean of providing a predictable source of financial support for the acquisition and implementation of the technology necessary to support the County’s business need; and

WHEREAS, The Board appropriated \$2,900,000 for 2008 for this purpose; and

WHEREAS, Since 2005, County Board resolutions related to the appropriations for Technology Application Systems have authorized the County Manager to close completed projects and transfer unspent funds to a Technology Application Systems Contingency Account for reallocation by the Board; and

(Continued)

WHEREAS, Consistent with Board direction at a workshop on April 12, 2005, the Technology Governance Committee solicited proposals from County Departments for the use of these funds in late 2007; and

WHEREAS, The recommendations of the Technology Governance Committee and the County Manager, including an allocation to a newly-established project for future development of an upgrade/replacement of the current financial system, are presented for Board approval; and

WHEREAS, Previous resolutions have also authorized the use of other funds in the completion of these projects. For 2008, the County Manager is recommending that \$635,000 of reserve funds in the Community Corrections Department be allocated to help fund a portion of the Corrections projects proposed; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners hereby approves the following distribution of the 2008 Technology Application Systems appropriation and up to \$200,000 from the Technology Application Systems Contingency Account for the following projects and, in addition, \$635,000 of reserve funds in the Community Corrections Department to help fund a portion of the recommended Corrections projects:

- \$ 490,000 RCCF Inmate Mgmt System Replacement, Community Corrections
- \$ 300,000 Time, Attendance, Scheduling System, Community Corrections
- \$ 25,000 Assessment and Services Application, Community Corrections
- \$ 120,000 JDAI Detention System Development, Community Corrections
- \$ 100,000 Case Documentation Project, Community Human Services
- \$ 862,040 RC-Justice Integration Project, County Attorney, Corrections, Sheriff
- \$ 100,000 Business Process Improvement, County Manager
- \$ 315,000 Workers' Comp Claims Mgmt System, Human Resources
- \$ 415,000 Electronic Document Management, Information Services
- \$ 25,000 Access Application Migration, Information Services
- \$ 100,000 Voice Over/Internet Protocol Telephony, Library
- \$ 25,000 Countywide Conf. Room Reservations, Property Management
- \$ 150,000 Electronic Health Records Analysis, Public Health
- \$ 8,900 Paging System Upgrade, Sheriff
- \$ 27,300 Sheriff – Ticket Writer
- \$ 45,000 Water Patrol Application Upgrade, Sheriff
- \$ 589,980 Financial System Replacement, Reserves to finance future costs
- \$3,735,000 TOTAL

and Be It Further

RESOLVED, The Ramsey County Board of Commissioners authorizes, in lieu of or in addition to this funding; the use of other funding sources, including grants, to finance the approved projects; and Be It Further

(Continued)

RESOLVED, The Board authorizes the County Manager to issue Requests For Proposals, enter into contracts subject to the prior approval by Budgeting and Accounting and the County Attorney's Office, make budget adjustments and execute change orders and amendments to agreements provided the amounts are within the budgets of the approved projects, and Be It Further

RESOLVED, The Board authorizes the County Manager to close completed projects and make necessary budget adjustments to re-allocate unexpended Technology Application Systems appropriations to the Technology Application Systems Contingency Account for future projects to be approved by the County Board; and Be It Further

RESOLVED, The Board directs staff to provide Commissioners with an update on previously approved projects.

LEGISLATIVE UPDATE

Nick Riley, Intergovernmental Relations, said not much is happening on the surface at the Legislature, but there is a great deal going on behind the scenes. A Legislative tracking sheet update was provided to Commissioners, along with a copy of the Governor's concerns. One item is the Environmental Response Fund. The Governor made a counter proposal that took \$125 million out of his first request to use the Health Care Access Fund. He had originally proposed to use \$250 million to help balance the budget. The caveat is the Governor would have to make cuts in other parts of the budget to make up for that \$125 million, which could hurt the County if the cuts are made in certain areas. He thanked Commissioner McDonough for testifying late last night on behalf of Ramsey County on the tax exemption for Central Corridor. Commissioner McLaughlin from Hennepin County, and Commissioner Erhart from Anoka County, also testified. The Anoka proposal on North Star was not quite as well received. There is hope for Central Corridor to get the tax exemption for building materials, which amounts to over \$10 million for the overall cost in the project.

Claudia Brewington, Intergovernmental Relations, said the Budget Conference Committee has been meeting, and going over the different sections and tracking sheet, and not making much progress, but behind the scenes there are discussions. Last night they released a list of policy issues that will be taken out of the budget bill to make it easier to pass on the floor; there are not many amendments coming from different directions. Many of the policy items were moving in separate bills, added back in, are now going to be taken out, and homes will have to be found for them. They are working with staff to find out which of those policy items are important for Ramsey County.

The Health Care Reform Bill had a meeting last night. A lot of work remains there. The Health Care Access Fund is used by the House to fund the proposal, the \$20 million for Public Health outreach and long-term reform. The Senate uses another mechanism that the Governor has already said is not acceptable to him. There is a lot of work to be done.

Commissioner Reinhardt said the Electronic Real Estate Recording bill is on the way to the Governor for signatures, and that is good news. This would not only get rid of the sunset for the existing projects, but also allow level 2 and level 3 electronic recording help in that area. Ramsey County is close to being caught up and this will make it better. The Paint Demonstration Project bill will go before the House soon. There are some issues between House and Senate versions, but she has been assured that will be worked out.

(Continued)

Mr. Riley said staff continues meeting with members of House and Senate trying to get them to work hard on leadership to get Central Corridor as part of the final deal. It is starting to pay off; there is a lot of support, even in out-state Minnesota, where they realize what an important project this is.

Ms. Brewington said within the tracking sheet, there are a number of additional mortgage reform-type bills. They are moving forward rapidly on the current crisis with the number of foreclosures. There is also movement with the federal level on ways to address this issue.

OUTSIDE BOARD AND COMMITTEE REPORTS

Commissioner Bennett reported:

- He and Commissioner Parker attended a Mounds View Town Hall meeting, where they presented a Proclamation to a Mounds View resident.
- He and Commissioner Reinhardt attended a meeting to look at possible changes at Keller Golf Course; approximately 100 people were in attendance.
- He and Commissioner Parker attended a meeting at the Arden Hills Library to talk about the Library Board's proposals.

Commissioner Reinhardt reported:

- She was impressed with the people, questions, ideas and concerns brought forward regarding Keller Golf Course. This is a "gem" in our system, and we need to keep it that way.
- On the Eastern Transportation Alliance meeting. Discussion took place on how to get a unified message out because of the many entities involved that recognize how important Central Corridor is.
- Today is "Earth Day". A number of things are being done all week to highlight the importance that the activities done by individuals, and the choices that are made, have an impact on the environment and the earth today and for future generations.
- A section of the Lower Afton Trail will be dedicated in the name of Emil Sturzenegger.
- Long time North St. Paul Mayor Bill Sandberg passed away this week.

Commissioner Rettman reported:

- She and Commissioners Parker, Carter and Reinhardt continue to attend the Community Action Partnership of Ramsey and Washington Counties (CAPRW). The executive director position has been posted.
- Parking issues along University Avenue continue to be addressed in meetings. She had heard that almost 85% of on-street parking would be lost with the layout of Central Corridor. Park and Ride lots will be very important.

Commissioner Reinhardt said the City of St. Paul would need to change its policy on allowing Park and Ride lots within the City limits. Referencing the 85%, she understood that the parking would not be lost. The information needs to be accurate.

Commissioner McDonough said that discussion could continue at the Regional Railroad Authority meeting, and that 85% is not an accurate number. There is more parking being lost than originally planned because the FTA is requiring three-car platforms versus two-car platforms, which changes the areas around the platforms. There may be a few spots lost along each station, but it is not affecting the rest of the line where there are no stations. The report can be obtained on the impact of going to three-car versus two-car platform stations and how much more parking would be lost.

(Continued)

Commissioner Reinhardt does not want misinformation to be distributed.

Commissioner Rettman said she would share the email on the Central Corridor update. Some parking spots would be lost along Highway 280 as well as turn lanes.

Commissioner Bennett said Chair Parker has advocated for a long time that parking would be a major problem. He hopes that staff are talking with the cities that have experienced this problem. People will find a place to park somehow.

Commissioner Carter said never was it assumed that no parking would be lost. Now, with the three-car platforms, more accurate information will be helpful. In addition to raising the issue of Park and Ride lots in the City of St. Paul, we will also want to think about the creative use of transit-oriented development that can incorporate parking as well as duplicative uses of parking lots such as churches during the week. This discussion is timely and urgent.

Commissioner Ortega reported:

- On the Annual meeting of the Fort Road Federation/West Seventh Street Federation, which is doing a great job with foreclosure housing that they took over and rehabbed.
- On St. Matthew's Church 40th Anniversary after the fire when the old church had burned down. St. Matt's is an old German church going back to the 1890s. It is a critical social service provider of about 20 programs from childcare to free health clinics. There was a huge turnout from the West Side and all over the metro area.
- On the Eastern Transit Alliance meeting.
- He met with Senator Cohen in consultation with Commissioner McDonough to talk about the Central Corridor and the need for our dollars. Senator Cohen is not only part of the senior leadership, but is chair of the Finance Committee. He supports the Central Corridor, but with all the other issues, this will be a tricky balancing act for everybody.

Commissioner Carter reported:

- She attended the Eastern Transit Alliance.
- She attended the Community Action Partnership of Ramsey and Washington Counties Board meeting. She met with the Head Start Policy Council that works with Community Action Programs. The parents, together with many others, work to advocate for their children at a higher level, for childcare and to oversee the operations of the Head Start Program. She also visited the Job Corps Head Start located along Snelling Avenue in a beautiful new building on the Job Corps site. The people at Job Corps receive training for a maximum of 18 months; they are employees of the federal government when at Job Corps. The request has come to Ramsey County to focus on the manner in which our workers are considering, to ensure they qualify for childcare when at Job Corps.
- She attended a Juvenile Detention Alternatives Initiative (JDAI) Steering Committee meeting. Data from the first couple of months of JDAI's risk assessment was sent to the Commissioners. They are proceeding on-track and working hard toward validation of that instrument. They are beginning home detention and electronic monitoring and moving toward the definition of alternatives, reviewing available alternatives in the community, and mapping those to the needs of our young people who otherwise would be in detention.

(Continued)

Commissioner McDonough:

- Thanked the Commissioners representing Ramsey County on the Community Action Partnership of Ramsey and Washington Counties.

ADJOURNMENT

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

EXECUTIVE SESSION

The Ramsey County Board of Commissioners met in Executive Session with the following members present: Carter, McDonough, Ortega, Parker, Reinhardt, Rettman and Bennett - 7. Also present were David Twa, County Manager; Darwin Lookingbill, Director, Civil Division, County Attorney's Office; Julie Kleinschmidt, Director, Budgeting and Accounting; and Jolly Mangine, Director, Property Management.

RE: *Sale of Riverfront Property commonly known as Adult Detention Center and the Ramsey County Government Center West*

Commissioner Bennett introduced the following resolution and moved its adoption, seconded by Commissioner Parker. Roll Call: Ayes – Bennett, Carter, McDonough, Ortega, Reinhardt, Parker – 6. Nays – Rettman - 1. (2008-155)

NOW, THEREFORE, BE IT RESOLVED, That the Ramsey County Board of Commissioners authorizes the Director of Property Management and the Ramsey County Attorney to negotiate an amended purchase agreement with Opus Corporation as discussed in this Executive Session.

There being no further business, the Executive Session was adjourned.

Bonnie C. Jackelen, Chief Clerk – County Board